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Proceedings Note Designation Procedure Proce	United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET				1. DUTY LOCATION 2. POSITION NUMBER Washington, DC				· ·Po	
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Official Allocation Allocation Allocation Paralegal Specialist GS 0950 13 Supervisor's PARALEGAL SPECIALIST GS 0950 13 CORGANIZATION (Give complete organizational breakdown) a. U.S. ENVIRONMENTAL PROTECTION AGENCY b. AA. Office of Enforcement and Compliance Assurance c. Office of Civil Enforcement d. Air Enforcement Division i. Organization Code BEA00000 g. Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position elassification standards. [18] Supervisor or Manager or the definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the minimum requirements for application of the General Schedule Supervisor in S.U.S.C. 7103(a)(11), but does not meet the GSSG. [18] Management Official. Position meets the definition of Management Official in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Management Official in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Management Official in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Management Official in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Management Official in S.U.S.C. 7103(a)(11), but does not meet the GSSG defined in other definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the GSSG defined in other definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the definition of Management Official in S.U.S.C. 7103(a)(11), but does not meet the GSSG defined in S.U.S.C. 7103(a)(11), but does not meet the definition of Management Official in S.U.S.C. 7103(a)(11), but does not meet the definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the definition of	14 2	ander	raralegal speciali	st, 6	15-095056	ries, TS-76,	8186			
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Go Lead Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part 1 of the Work Leader Grade Evaluation Guide (WLGEG) or is under a wage system and meets similar minimum requirements as specified by those job standards or other directives of the applicable pay system. 7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGEG. 18] All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position. 9. SUPERVISORY CERTIFICATION Learnify that this is an accurate statement of the major duties and responsibilities of this position and its organizational functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such tauties or their implementing regulations. Typed Name and Title of Immediate Supervisor Phillip A. Brooks, Director, Air Enforcement Division Display	☐ [5] Manag	ement Off	icial. Position meets the defin	nition of	Management O	Micial in 5.U.S.C. 7	103(a)(11), but doo	e not most the	rear in	
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Office of Enforcement and Compliance Assurance Office of Civil Enforcement Air Enforcement Division Immediate Office

Paralegal Specialist, GS-950-13

INTRODUCTION

This position is located in the Office of Enforcement and Compliance Assurance (OECA), Office of Civil Enforcement (OCE), Air Enforcement Division (AED). The incumbent works under the supervision of the Deputy Division Director and provides a variety of paralegal support to AED attorneys responsible for developing and litigating civil and administrative enforcement cases, and providing technical, legal and policy support to EPA Regional offices when implementing priorities.

MAJOR DUTIES AND RESPONSIBILITIES:

Under the direction of AED attorneys, incumbent performs legal research of relevant statutes, case law, legislative history, regulations, and governing policy. Prepares legal memoranda or other appropriate summaries, setting forth the issues researched and all applicable authority discovered.

Assist the AED staff attorneys on cases and participates in special projects dealing with complex legal issues. Receives and analyzes motions and other filings, researches pertinent legal issues and assists with the preparation of government motions to be filed in administrative proceedings or in federal district or appellate court. Prepares draft replies to case-related, public, and controlled correspondence, and coordinates review of the proposed drafts with other offices, as relevant.

Performs legal administrative duties in connection with litigation or counseling services. Examines case files to assist in the evaluation of issues and the sufficiency of evidence or documentation. Coordinates discovery, hearing, and trial logistics.

Gathers and analyzes factual data related to legal claims. Assists attorneys by preparing exhibits (charts, graphs, maps, or other materials), procedural histories, statements of the case, memoranda, and other records to be used to support administrative proceedings and civil litigation.

Performs document organization, management, and retrieval in connection with complex cases.

Manages all phases of the electronic discovery process - identification, preservation, collection, processing, review, analysis, production, and presentation. Responsible for initiating, maintaining, and monitoring litigation holds.

Reviews and organizes administrative records. Assists attorneys in compiling administrative record cites for briefings. Identifies and compiles documents pertaining to key legal issues in assigned cases. Responsible for developing or maintaining a system of document control, including setting up computerized indexes and systems of analysis, maintaining logs, and arranging for physical storage.

Utilizes electronic litigation software for research, discovery, administrative record compilation and review, and trial preparation. Performs legal, factual, historical, and other forms of research using online tools and search engines. Employs electronic and automated docketing systems with all court

filings. Manages the conversion of hard copy documents into electronic documents; prepares PDF documents for review, redaction, and release. The incumbent must be familiar with e-filing and other such electronic automated databases and search engines.

Works with various database systems and coordinates with database administrators for research, case development, and e-discovery.

Performs other duties as assigned.

FACTOR 1 - Knowledge Required

Level 1-8, 1550 Pts

Expert knowledge and skills to effectively apply various laws, court and/or administrative decisions and interpretations, rules, regulations, policies, and procedures that pertain to the administration of legal programs and litigation cases; expert analyst mastering the application of a wide range of qualitative and/or quantitative methods for assessing and improving program effectiveness and complex management processes and systems; highly developed, specialized legal skills and proficiency sufficient to analyze and evaluate the relevance of particular technical evidence or questions which arise in the conduct of specialized legal programs; perform extensive and thorough legal research in to the legislative history, precedent case, decisions, and opinions that may be applicable to particular legal matters; investigate and become thoroughly familiar with subject matter details involved in a case or legal matters; determine the specific data needed and best approach to obtain this data or to determine the relevance or sufficiency of available legal, technical or related data; coordinate actions with other Federal agencies or State and local agencies that have close related responsibilities.

Specific knowledge of the Agency guidance documents, applicable statutes and regulations. Specific knowledge of Agency program goals and objectives, the sequence and timing of key program events and milestones, and methods of evaluating the worth of program accomplishments.

Ability to recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

For other assignments, knowledge may be applied in evaluating the content of new or modified legislation for projected impact upon Agency programs and resources; and/or in translating basic legislation into program goals, actions, and services.

Knowledge and ability to use personal computer in litigation support and to perform legal research using litigation-related databases such as Relativity, Encase, 03, and Westlaw.

FACTOR 2 - Supervisory Controls

Level 2-4, 450 Pts

Incumbent reports directly to the Deputy, Associate, and Division Director, Office of Civil Enforcement (OCE), Air and Enforcement Division (AED). Work assignments are assigned by the Deputy Division Director, Associate Division Director, and staff attorneys with objectives outlined. Incumbent consults with supervisors and staff attorneys on deadlines and precedents, plans and carries out assignments independently, proposes solutions on unusual problems after conferring with supervisor and staff attorneys. Work products are reviewed by staff attorneys for soundness of

approach and argument, application of legal principles and consistency with governing policies, procedures, and regulations of the Agency, applicable department, and the court.

FACTOR 3 - Guidelines

Level 3-4, 450 Pts

Guidelines consist of applicable law, implementing regulations, Rules of Evidence, Rules of Procedure and Evidence, local court rules, Federal Rules of Appellate Procedures, court decisions, opinions, commercial legal publications and Agency manuals and directives. Incumbent must exercise critical judgment and initiative in selecting, interpreting, and evaluating the applicability of the guides. Guidelines are not easily applied to varied situations encountered, since they may only partially relate to the circumstances or may have been significantly limited in usefulness by later decisions or interpretations. The incumbent's findings may serve to modify and augment existing Agency guidelines and provide the basis for new or modified evaluation criteria.

FACTOR 4 - Complexity

Level 4-5, 325 Pts

Work requires a variety of diverse and problem-solving analytical duties such as determining appropriate action when motions are received, making recommendations to the supervisor and staff attorneys regarding procedures and case management, determining whether information is missing or necessary for case processing or rulings, developing templates, and advising parties of procedural options under applicable regulations. The work requires interpretation and evaluation associated with the resolution of unusually complicated legal matters with voluminous documentation. The incumbent researches esoteric statutory, regulatory, court and/or administrative precedents, and other legal opinion or documentary material; and prepares various legal documents such as questions for interrogatories, comprehensive litigation reports which serve as the basis for critical legislative regulatory, judicial, administrative, or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions, and hearings is also required.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various Acts. Incumbent interprets and evaluates disparate information gathered from a variety of sources and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies, and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation, and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena, or conflicting requirements. Collects, sorts, analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques, and interprets incomplete or conflicting information. Work often involves complex cases, which may require several years of ongoing case development activities. Duties may require the reconstruction of events from circumstantial evidence.

FACTOR 5 - Scope and Effect

Level 5-4, 225 Pts

The position provides a specialist to assist in the development of cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, and recommend decisions on cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness of the office in carrying out its mission. This work is essential to case development. To do this work, incumbent monitors

the consistency of administrative decisions issued throughout the Agency. The work performed affects the efficiency of the Air Enforcement Division.

FACTOR 6 - Personal Contacts

Level 6-3, 60 Pts

Works closely with staff attorneys, program or client agency staff, witnesses, and opposing counsel. Also has contact with Agency offices, Department of Justice, U.S. Attorney Offices, other Federal agencies, state and local government, and contractors. Contact with the general public is frequent.

FACTOR 7 - Purpose of Contacts

Level 7-3, 120 Pts

The purpose of contacts is to meet with potential witnesses to prepare them for, and provide information about court appearances or to explain current agency practices in regard to litigating cases or reopening appeals; to plan and coordinate assignments requiring the cooperation of employees in several agency offices, such as assembling data from different sources to prepare exhibits or to respond to interrogatories, subpoenas, depositions, or other activities. Good communication skills, as well as tact and diplomacy must be applied in all circumstances.

FACTOR 8 - Physical Demands

Level 8-1, 5 Pts

Work is generally sedentary with some physical demands (e.g., the management of large document collections which might involve moderate to heavy lifting), and other activities normally required in an office, such as bending, stopping, walking, and carrying and gathering items such as books, files, exhibits, and papers required during investigation activities.

FACTOR 9 - Work Environment

Level 9-1, 5 Pts

Work is performed in an office, which is adequately lighted, and climate controlled, and where normal safety precautions for an office are practiced.

TOTAL POINTS=3190

Conversion: 3155 - 3600 = GS-13

This position is appropriately classified as: Paralegal Specialist, GS-950-13

Extramural Resources Management Duties Checklist

This checklist may be used to identify duties in managing contracts, grants, cooperative agreements, and interagency agreements. It is a tool for identifying duties to be added to position descriptions for positions requiring 25% or more of time on any combination of extramural resources management duties. The checklist may be used as an amendment to position descriptions for positions requiring less than 25% of time on these duties.

Employee Information	Percentage of Time Spent on Extramural Resources Management
Name	This position has no extramural resources
Position Number <u>N 095013</u>	management responsibilities. Total extramural resources management duties occupy less than 25% of time.
Title: Paralegal Specialist	Total extramural resources management duties occupy 25% to 50% of time. These duties are
Series/Grade: GS-0950-13	indicated below and described in the position description. Total extramural resources manner and the initial extramural resources.
Organization: OECA/OCE/AED/IO	Total extramural resources management duties occupy more than 50% of time. These duties are indicated below and described in the position description.
When this checklist is used as an amendment to a position	r description, the following signatures are required:
Supervisor's Signature	Look Date 5/3/2016
Personnel Specialist's Signature	Date 7/18/16
Pre-award: Plans procurements Estimates costs Obtains funding commitments Prepares procurement requests Writes statements of work Reviews statements of work Processes unsolicited proposals Responds to pre-award inquiries Participates in pre-award conferences Conducts technical evaluation of proposals Participates in debriefing/protests Other (list) Post-award: Prepares delivery orders Reviews contractor work plans Reviews contractor progress reports	Monitors management and performance of delivery orders/work assignments after award Defines scope of work for work assignments Approves payment requests or ACH drawdowns Manages cost-reimbursement contracts Reviews invoices Inspects and accepts deliverables Other (list) Close-out: Writes reports on contractor performance, costs, and tasks performed Reconciles payments with work performance Closes out payments Performs cost accounting Provides assistance to Contracting Officer in settling claims Other (list)
Monitors government-furnished property Monitors cost, management, and overall technical performance of contract after award	Percentage of Time Spent on Contracts Management:

Pre-application/Application: Prepares solicitation for proposals Identifies potential grantees for areas of program emphasis Makes initial determinations (whether project is procurement or assistance, whether agency has legal authority, whether applicant is eligible, whether funding is available, etc.) Provides administrative information to applicants Determines appropriateness of applicant=s workplan/activities/budget and compliance with regulations and guidelines and negotiates changes with applicant Assists applicant in resolving issues in application For cooperative agreement, determines	Advises Grants Management Office of potential problems/issues Participates in decision/actions to ensure successful project completion and in decisions to impose sanctions Approves payments requests or ACH drawdowns Reviews requests for modifications, additional funding, etc. and makes recommendations to Grants Management Office Negotiates amendments Reviews Cost/Price/Analysis for recipient contracts/change orders (Superfund only) When necessary, recommends termination of the agreement Resolves with Grants Management Office administrative and financial issues Conducts periodic reviews to ensure compliance
substantial Federal involvement and develops a condition for agreement Negotiates level of funding Conducts site visits to evaluate program capability	with agreement Other (list) Close-out:
Serves as resource to Selection Panel Informs applicants of funding decisions Other (list) Award: Prepares funding package, including Decision Memorandum Obtains concurrences/approvals Reviews/concurs in completed document Establishes project file Other (list)	Certifies deliverables were satisfactory and timely Provides assistance to recipients and Grants Management Office to ensure timely closeout Reconciles payment with work performed Notifies recipient of close-out requirements Obtains legal assistance if necessary to resolve incomplete close-out If project is audited, responds to issues and ensures recipient complies with audit recommendations Other (list)
Project Management/Administration: Monitors recipient=s activities and progress Reviews reports and deliverables and notifies recipient of comments Provides technical assistance to recipients	Percentage of Time Spent on Grants/Cooperative Agreements Management:
Pre-Agreement: Plans and negotiates work effort Estimates costs Obtains funding commitments Prepares commitment notice Writes or reviews scope of work Responds to pre-agreement inquiries Participates in pre-agreement conferences Coordinates with appropriate staff in developing Independent Government Cost Estimates (IGEs) Negotiates and ensures execution of Superfund State Contracts (Superfund only) Performs technical evaluation of work plan and budget Prepares funding package and obtains necessary concurrences Other (list)	Monitors cost management and overall technical performance Participates in decisions about project modification/termination Conducts periodic review of Superfund State contracts payment receipts (Superfund only) Inspects and accepts deliverables Other (list) Close-out: Reviews final report Decides on disbursement of equipment Reconciles payments with work performed Reviews Superfund State Contracts to ensure full reimbursement (Superfund only) Certifies deliverables Resolves close-out issues with Grants Management Office/other agency Other (list)
Project Management/Administration:	Time Spent on Interagency Agreements Management:
Reviews progress reports/financial reports	1 %

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Governmental functions for wand that false or misleading s	mich i am respon	sible. This certifical	tion is made with kr	nowledge that this	information is I	o be used for st	atutory purposes relating	to appointme	ent and payment of public fu	inds.
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PARALEGAL SPECIALIST GS-0950-12

INTRODUCTION

This position is in the Immediate Office, (10), Office of General Counsel (OGC), U.S. Environmental Protection Agency (EPA). The incumbent works under the supervision of the Deputy General Counsel for Operations and provides a variety of paralegal support to senior management in the 10 including the General Counsel and Deputy General Counsels.

MAJOR DUTIES AND RESPONSIBILITIES:

Under the direction of Deputy General Counsel for Operations, incumbent performs legal research of relevant statutes, case law, legislative history, regulations and governing policy. Prepares legal memoranda or other appropriate summaries, setting forth the issues researched, and all applicable authority discovered.

Assists 10 senior management with cases and participates in special projects dealing with complex legal issues.

Conducts legal research for the preparation of hearings, appeals, litigation, or advisory services, Summarizes relevant information for General Counsel and Deputy General Counsels use in the review of opinions, memoranda, briefs, and other legal documents.

Examines and evaluates information in case files, with reference to EPA and OGC standards, to assist the General Counsel and Deputy General Counsels in response to legal and technical questions which arise. In cases where files are incomplete, or require additional information, incumbent uses discretion and judgment in planning a comprehensive approach to obtain missing or relevant data.

Assists General Counsel and Deputy General Counsels on administrative and judicial cases and participates in special projects involving a variety of legal issues. Receives and analyzes motions and other filings, researches pertinent legal issues and assists with the preparation of government motions to be filed in administrative proceedings or in federal district, appellate, or Supreme Court.

Gathers and analyzes factual data related to litigation or other matters. Assists General Counsel and Deputy General Counsels by preparing memoranda and other records to be used to support administrative proceedings or litigation.

Performs legal administrative duties in connection with rulemakings and other Agency actions that may result in litigation, including maintaining litigation databases; researching and

answering questions about legal matters; and preparing weekly reports on the status of litigation and legal discussions. 1

Responsible for developing and maintaining a system of document control, including setting up computerized indexes and systems of analysis, maintaining logs, and arranging for physical storage.

Serves as the FOIA coordinator for the 10. Provides comprehensive support for FOIA document searches and review for which the Immediate Office is responsible, including document organization, management, retrieval and review to apply FOIA exemptions. The incumbent is responsible for searching, reviewing, tracking, and updating FOIA responses. The incumbent drafts FOIA response letters. Incumbent uploads documents into FOIA online and coordinates with other offices within EPA on FOIAs, as appropriate.

Utilizes electronic litigation software for research, discovery, administrative record compilation and review. Works with various database systems and coordinates with database administrators for research and managing and tracking documents and electronic materials assigned to OGC.

Serves as the ()GC representative on oversight matters from the Office of Inspector General or General Accountability Office (GAO). Attends all intake meetings and works directly with OGC offices to draft responses to any inquiries. Coordinates with the ()IG, the GAO, the Office of the Chief Financial Officer and other stakeholders in audits and oversight.

Performs other duties, as assigned.

FACTOR I- Knowledge Required by the Position

Level 1-71250 Points

In-depth knowledge and skills to effectively apply various laws, court and/or administrative decisions and interpretations, rules, regulations, policies, and procedures which pertain to the administration of legal programs, and a variety of environmental statutes; highly developed, specialized legal skills and proficiency sufficient to analyze and evaluate the relevance of particular technical evidence or questions which arise in the conduct of specialized legal programs; perform extensive and thorough legal research in to the legislative history, precedent case, decisions, and opinions that may be applicable to particular legal matters; investigate and become thoroughly familiar with subject matter details involved in a case or legal matters; determine the specific data needed and best app roach to obtain this data or to determine the relevance or sufficiency of available legal, technical, or related data; coordinate actions with other Federal agencies or State and local agencies that have related responsibilities.

Specific knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

2

Knowledge and ability to use personal computer in litigation support and to perform legal research using litigation-related databases such as Relativity, Encase, G3, and Westlaw.

FACTOR 2 - Supervisory Controls

Level 2-4, 450 points

Incumbent reports directly to the Deputy General Counsel for Operations. Work assignments are assigned by Deputy General Counsels, the General Counsel, and the Associate Deputy General Counsels with objectives outlined. Incumbent consults with supervisor and others on deadlines and precedents; plans and carries out assignments independently, proposes solutions on unusual problems after conferring with supervisor and others. Work products are reviewed by attorneys for soundness of approach and argument, application Of legal principles and consistency with governing policies, procedures and regulations of the Agency, applicable department, and the court.

FACTOR 3 - Guidelines

Level 3-4. 450 points

Guidelines consist of applicable law, implementing regulations, Rules of Procedure and Evidence, local court rules, Federal Rules of Appellate Procedures, court decisions, opinions, commercial legal publications and Agency manuals and directives. Incumbent must exercise critical judgment and initiative in selecting, interpreting and evaluating the applicability of the guides. Guidelines are not easily applied to varied situations encountered, since they may only partially relate to the circumstances or may have been significantly limited in usefulness by later decisions or interpretations. The incumbent's findings may serve to modify and augment existing Agency guidelines and provide the basis for new or modified evaluation criteria.

FACTOR 4- Complexity

Level 4-5. 325 points

Work requires a variety of diverse, and problem-solving analytical duties such as determining appropriate action when motions are received, making recommendations to the supervisor and Immediate Office Attorneys regarding procedures and case management, determining whether information ismissing ornecessaryforcase processingorrulings, developingtemplates, and working with client offices. The work requires interpretation and evaluation associated with the resolution of unusually complicated legal matters with voluminous documentation. The incumbent researches esoteric statutory, regulatory, court and/or administrative precedents, and other legal opinion or documentary material; and prepares various legal documents such as, comprehensive litigation reports which serve as the basis for critical legislative, regulatory, judicial, administrative, or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in conferences, briefings, meetings, and hearings is also required. The work includes determining what needs to be done to success fully accomplish the goals of the Agency in the context of several

statutory schemes pertaining to Freedom of Information Act. (FOIA), and employment litigation. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often-subtle interrelationships of the various Acts. Incumbent interprets and evaluates disparate information gathered from a variety of sources and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena or conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work often involves complex regulations and cases which may require several years of ongoing development activities. Duties may require the reconstruction of events from circumstantial evidence.

FACTOR 5 - Scope and Effect

Level 5-4, 225 points

The work performed affects the efficiency of the General Counsel's Office and has implications for the legal advice of the entire EPA and Regions. The purpose of this work is to plan, review, negotiate, and recommend decisions on legal matters thereby freeing the attorneys to perform other legal work and to enhance the effectiveness of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency.

The work involves developing strategies for handling complex and sometimes large legal assignments which vary from case to case. Incumbent advises attorneys on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations on legal actions.

FACTOR 6 - Personal Contacts

Level 6-3, 60 points

Works closely with staff attorneys, program or client agency staff, court staff, and other paralegal specialists. Also, has contact with Agency offices, Department of Justice, U.S. Attorney Offices, other Federal agencies, state and local government, and contractors. Contact with the general public is frequent.

FACTOR 7 - Purpose of Contacts

Level 7-3, 50 points

The purpose of contacts is to plan and coordinate assignments requiring the cooperation of employees in several agency offices, such as assembling data from different sources to prepare joint presentations or other activities; or to persuade other agency personnel with

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different viewpoints on the merits of releasing or withholding portions of FOIA documents requested under provisions of various acts. Good communication skills, as well as tact and diplomacy must be applied in all circumstances.

FACTOR 8 - Physical Demands

Level 8-1, 5 points

Work is generally sedentary with some physical demands (e.g., the management of large document collections which might involve moderate to heavy lifting), and other activities normally required in an office, such as bending, stopping, walking, and carrying and gathering items such as books, files, exhibits, and papers required during investigation activities.

FACTOR 9 - Work Environment

Level 9-1. 5 points

Work is performed in an office which is adequately lighted and climate controlled, and where normal safety precautions for an office are practiced.

<u>TOTAL POINTS</u> - 2,820 GRADE COVERSION- GS-12

Paralegal Specialist Series, GS-0950 TS-76 August 19865

POSITION RISK & SENSITIVITY DESIGNATION CHECKLIST

Position's Organization: OGC, Immediate Office				
Position Title: Paralegal Specialist				
Pay Plan/Series/Grade (Full Performance Level): GS-950-11/12 FPL: GS-12	Pay Plan/Series/Grade (Full Performance Level): GS-950-11/12 FPL: GS-12			
Service Agreement Number (SAN): BV5800348	3 7 3000			
Supervisor Name: Elise B. Packard Supervisor Phone Number: 202	:-564-772	9		
Supervisor Signature:				
STANDARDIZED POSITIONS				
Position Title		12- 7		
Paralegal Specialist				
NON-STANDARDIZED POSITIONS For All Non-Standardized positions, provide the following information:				
1. Does the position require access or eligibility for access to classified information?	Yes	No		
If Yes, Select				
2. Does the position involve National Security duties?	Yes	No		
If Yes, Select				
3. Does the position involve fiduciary responsibilities/obligation or approval of funds?	Yes	No		
If Yes, Select				
4. Does the position involve public contact/interaction/liaison duties?	• Yes	No		
Federal Agency Interest Groups Agency Local Agency	Tribal Gove	rnment		
Academia Private Industry State Media	General Pul	blic		
5. Does the position involve access to or control over personal, private, sensitive but unclassified, controlled classified, or proprietary information?	Yes	● No		
If Yes, Explain:				
6. Does the position require access to or control over hazardous or dangerous material (toxic, nuclear, biological, chemical, radiological)?	Yes	● No		
If Yes, Explain:				
7. Does the incumbent make independent decisions or authoritative recommendations not subject to substantive verification or supervisory approval/sign off?	Yes	● No		
If Yes, Explain:		1		

^{*}Supervisors, GS-14 and above positions, and scientific/engineering positions are at least non-sensitive, moderate risk. Division Directors and Deputy Directors are at least non-sensitive, high risk. Criminal Investigator positions are always critical-sensitive, high risk.

Position Designation Record

Agency Environmental Protection Agency

Position Title Paralegal Specialist

Series and Grade/Pay GS-0950-11.12

Band

Position Description N095012

Number

Designator's Name & Christine Muraguri, HR Specialist

Title

Potential for Compromise or Damage

Duties	Degree of Potential for Compromise or Damage
Protection of personal, private, controlled unclassified, or proprietary information-with the potential to damage the public's trust (includes access to or processing of personal information such as that protected by the Privacy Act (PA) of 1974, exempt from disclosure under the Freedom of Information Act (FOIA), financial data, or privileged information involving the award of contracts, contractor proprietary information, etc.)	One or more of the following: • Access to personal, private, proprietary, or controlled unclassified information, the unauthorized disclosure of which could cause very limited damage to individuals, business entities, or government programs or operations or any potential damage is limited to the local level • Duties are carried out under such restrictive controls that the risk of violating the public's trust is extremely limited
Government service delivery, including customer service or public liaison duties	Duties involve customer service responsibilities and/or public liaison that could negatively impact the

Duties	Degree of Potential for Compromise or Damage
	public's trust through moderate damage/harm to: • The integrity or efficiency of the service • Individuals or business entities • Government programs or operations impacting the public's trust

Adjustment for Program Designation and Level of Supervision

Adjustments	Label
Adjustment for Scope of Program and Correlation to Extent of Impact (see definitions)	Agency impact
Adjustment for level of supervision or other controls	Periodic, ongoing review - ability to act independently a lot of the time

Total Points Designation

Label	Points
Total Initial Position Designation Points from Step 2	16
Adjusted Position Designation Points from Step 3	6

Investigation	Form Required
T1	SF 85

Sensitivity	Risk Level
Non-Sensitive	Low Risk

Designator Notes/Justification/Comments	
Low Risk	
Signature: Amagnath	Date:4/19/19
Name: Christine Muraguri	

United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET	10.20	OUTY LOCATION ASHINGTON, DC		DO464	
3. CLASSIFICATION ACTION: a. Reference of Series and Date of GS-950 Series, 8 86	Standards Use	d to Clarify This Positio			
b. Title			d. Series	e. Grade	f. CLC
Official Allocation Faralegal Specialist	es	G5	0950	11	DO
4. SUPERVISOR'S PARALEGAL SPECIALIST	RVISOR'S DADALECAL CRECIALICE		950	11	
5. ORGANIZATIONAL TITLE OF POSITION (if any) PARALEGAL SPECIALIST		OF EMPLOYEE yl R. Graham			
7. ORGANIZATION (give complete organizational breakdown)					
a. U. S. ENVIRONMENTAL PROTECTION AGENCY	e.				
b. OFFICE OF GENERAL COUNSEL	f.				
c. AIR AND RADIATION LAW OFFICE	g.				
d.	h. EPAY	'S Organization Code	2 344000	2 C C 6 6	90000
of work through combined technical and administrative direction of oth Schedule Supervisory Guide. [A] An individual (as defined in Section 7103(a)(10) of Title V of the ansfer, lay off, suspend, discipline, or remove one or more employed not routine or clerical in nature, but requires the consistent exercise [M] A manager who directs the work of an organization; is account adjusts program activities; and performs the full range of duties outline who fully share responsibility for managing the organization or who se [B] A management official (as defined in Section 7103(a)(11) of Title organization's policies. This means creating, establishing, or prescribin bringing about a course of action for the organization. Management of interpret laws and regulations, give resource information or recommendately the organization's policies and plans. [T] "Team Leader" This position meets the requirements for coveration of the above applies. This is a non-supervisory/non-manager supervisory CERTIFICATION I certify that this is an accurate its organizational relationships and that the position is processed.	e U.S. Code) whees, or effectively of independent able for the succeed in the General erve as an alter every of the U.S. on the General principle of the U.S. of t	o is authorized to hire, or recommend such action judgment. Seess of line or staff program (and state of the manager.) Code) who formulates, viples, plans, or courses welly participate in shaping as experts or highly trained of the Work Leader Gram (and state of the major duties and research action).	direct, assign, p.n. The exercise rams; monitors Guide. May all determines or it of action for an ang the organizatined profession ade Evaluation sponsibilities or	oromote, reward e of this respondences, and organization; ation's policies and Guide.	ord, nsibility and puties or not just ement or
its organizational relationships and that the position is necessary to certification is made with the knowledge that this information is to of public funds, and that false or misleading statements may cons	be used for sta titute violations	tutory purposes relating of such status or their	to appointme	nt and payme regulations.	ent
Richard B. Ossias, Associate General Counsel	yped Name and Title of Immediate Supervisor hard B. Ossias, Associate General Counsel d. Typed Name and Title of Second-Level Supervisor Roger R. Martella, Jr., Principal Deputy General Counsel				nsel
b. Signature c. Date					
10. OFFICIAL CLASSIFICATION CERTIFICATION				14/66	
a. This position has no promotion potential. d. Bargaining Unit Code This position has progresses satisfactorily, this promotion potential to grade: Medical Monitoring Required	neition has kno	oyee	Standards Act	Code	Ð
(b) (6) Extramural Resources Management Duties (This position is subject to random drug testing		Las Square	thing	1-x	26-06
I. REMARKS (none)			1		

PARALEGAL SPECIALIST GS-0950-11

INTRODUCTION

This position is located in the Air and Radiation Law Office (ARLO) of the Office of General Counsel (OGC). ARLO attorneys review the legal and technical questions which arise in regulations, lawsuits, executive orders and legislative proposals, involving the following statutes: Clean Air Act (CAA), Noise Control Act (NCA), and the Atomic Energy Act (AEA). The incumbent of this positions performs functions which assists in the evaluation, development, and if necessary, preparation of litigation in applicable lawsuits.

MAJOR DUTIES AND RESPONSIBILITIES

Conducts legal research for the preparation of hearings, appeals, litigation, or advisory services. Summarizes relevant information for attorneys use in the preparation of opinions, briefs, and other legal documents.

Performs legal analysis of requests for information under the provisions of CAA, NCA, AEA, and OCSA. Gathers, sorts, classifies, and interprets data from outside sources to be included in case preparation. Reviews available precedents relevant to cases under consideration for use in presenting case summaries.

Examines and evaluates information in case files, with reference to EPA and OGC standards, to assist ARLO attorneys in response to legal and technical questions which arise. In cases where files are incomplete, or require additional information, incumbent uses discretion and judgment in planning a comprehensive approach to obtain missing or relevant data.

Reviews FOIA and discovery requests for the purpose of scoping out and formulating appropriate instructions to ARLO attorneys in responding to the requests. Assists lead ARLO attorney and ARLO management in allocating responsibilities within ARLO for searching for responsive records.

Assists the lead ARLO attorney in reviewing and, as necessary, revising justifications for asserting privileges proffered by ARLO attorneys in response to discovery requests.

Assists the lead ARLO attorney in preparing logs reflecting the assertion of privileges with respect to documents that are potentially responsive to discovery requests.

Assists the lead ARLO attorney in drafting memoranda seeking the concurrence of the General Counsel in the assertion of the deliberative process privilege with respect to records potentially responsive to discovery requests.

Reviews memoranda received from other EPA offices, seeking the concurrence of the General Counsel in the assertion of the deliberative process privilege.

Answers questions from ARLO attorneys related to implementing instructions for responding to discovery requests.

As necessary and appropriate, oversees the work of, and provides direction to, the ARLO support staff in their effort to meet the support needs of ARLO attorneys.

FACTOR LEVELS

Factor 1. Knowledge Required by the Position - Level 1-6

950 points

Ability to analyze and evaluate the relevance of evidence or questions which arise in the conduct of litigation discovery.

Knowledge of the principles, concepts, and methods of legal research and reference sources such as EPA and OGC manuals, directives, issuances, and court reports sufficient to locate appropriate data such as applicable precedents, legislative history, and commentaries which bear on particular legal issues.

Knowledge of legal techniques and skills necessary to analyze both issues of fact and issues of law in order to prepare digests of case decisions, evaluate applicability of precedents, or to draft briefs, other litigation papers, advisory opinions, or findings.

Knowledge of the Freedom of Information Act (FOIA) and the rules and case law applicable to discovery during litigation.

Factor 2. Supervisory Controls - Level 2-4

450 points

For this position, the supervisor interprets objectives, sets necessary resources, and defines the scope of the employee's assignments. Incumbent independently conducts legal research, selects evidence from reports and other legal documents, and case authority from FOIA and discovery requests. Incumbent carries out the assignments and resolves any issues which arise consistent with previous training, agency policies, precedents, directives and practices. Incumbent's work is reviewed for technical soundness and conformity to requirements. Review of incumbent's work focuses on the soundness of the end product rather than the adequacy or

type of method employed to produce the product. Supervisor is able to rely on an assumption that incumbent has checked all relevant sources of information and collected the appropriate level of documentation.

Factor 3. Guidelines - Level 3-4

450 points

Guidelines are generally available but require some degree of interpretation. Guidelines applicable to assignments given to incumbent may be limited to basic legislation, implementing regulations and agency policies which must be carefully analyzed for general application. The FOIA statutes are accompanied with implementing Government-wide and Agency specific regulations. Incumbent uses initiative and resourcefulness in interpreting and applying these guidelines in non-routine situations without referring questions to others. Incumbent is required to determine the level of research required to make the recommendation in these cases.

Factor 4. Complexity - Level 4-4

225 points

Incumbent performs varied duties encompassing diverse and complex technical issues or problems relating to ARLO. Factual situations vary significantly from assignment to assignment and are difficult to ascertain because there is a large body of interrelated facts to be analyzed, information from different sources is sometimes in conflict, only indirect evidence is available on some issues, and the interpretation of such evidence is disputed. The incumbent must devise or evaluate and adapt previous factfinding and problem-solving methods to cope with voluminous documentation, effectively organize data into exhibits, and develop corroborative evidence to fill gaps or resolve conflicting statements.

Factor 5. Scope and Effect - Level 5-4

225 points

The incumbent reviews FOIA and discovery requests for the purpose of scoping out and formulating appropriate instructions to ARLO attorneys on responding to requests; assists lead ARLO attorneys and managers in allocating responsibilities within ARLO for search for responsive records; and determining which, if any privileges apply. Incumbent's work provides the foundation for FOIA-related precedents that have a broad impact that affect aspects of agency-wide programs. The scope and effect of incumbent's work covers the Agency nationwide and the public at large.

Factor 6. Personal Contacts - Level 6-3

60 points

Incumbent's personal contacts are generally with ARLO attorneys, the General Counsel, other EPA offices, support staff, and/or federal, state, and local governments. Incumbent defines the purpose of the contact and clarifies the roles of the participants. Contacts may be initiated by incumbent, the person requesting information or assistance, or another party and frequently require face-to-face meetings.

Factor 7. Purpose of Contacts - Level 7-3

120 points

The purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals or objectives.

This position requires incumbent to have regular direct contact with entities and individuals with interests clearly divergent of the interests of the Agency. In accomplishing these tasks, incumbent employs tact and knowledge of the applicable law to help persuade the individual or entity to cooperate.

Factor 8. Physical Demands - Level 8-1

5 points

The work is sedentary. Typically, the employee may sit comfortably to do the work. However, there may be some physical activity such as walking, standing, bending, and carrying of light items such as papers and books. No special physical demands are required to perform work.

Factor 9. Work Environment - Level 9-1

5 points

The work environment involves everyday risks or discomforts which require normal safety precautions typical of offices and meeting rooms, <u>e.g.</u> use of safe work practices and office equipment, avoidance of tripping and falling, and observance of fire regulations. The work area is adequately lighted, heated and ventilated.

TOTAL POINTS - 2490

GRADE CONVERSION: GS-11

CLASSIFICATION REFERENCE:

PCS for Paralegal Specialist, GS-0950, Aug 1986, TS-76

PO	SITION	tal Protection Agency N DESCRIPTION COVERS		Washin	1. DUTY LOCATION 2. POSITION N Washington, DC N095012				
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PCS for P	araleg	gal Specialist Series G		/1986.					
	-		b. Title		c. Pay Plan	d. Series	e. Grade	f. CLC	
Official Allocation	Para	alegal Specialist		GS 950		11	001		
4. Supervisor's Recommendation		alegal Specialist			GS	950	11		
5. ORGANIZATIO	NAL TIT	TLE OF POSITION (if any)		6. NAME OF EMI	PLOYEE RUGO	GS, TASHE	EKA L		
7. ORGANIZATI	ON (Gi	ve complete organizational bro	eakdown)	e.					
a. U.S. ENVIRON	MENT	AL PROTECTION AGENCY		f.					
b. Office of Ge	eneral	Counsel		g.					
c. Water Law	Office			h. Employing Of	fice Location Wa	shington, Do	С		
d.				i. Organization C	Code	000000			
8. SUPERVISOR	Y STA	rus							
position cla [4] Supervisor GSSG. [5] Manageme Supervisor/ Grade Evaluatives o [7] Team Lead WLGEG. [8] All Other P 9. SUPERVISOR relationships and that information is to be us statutes or their imple	nt Office Manage ion lead: uation G f the appler. Pos Positions Y CERT the positions sed for st menting	the General Schedule Supervisor on standards. In meets the definition of Supervisor or the definition of Supervisor or the definition of Supervisor or the definition of Supervisor at the definition of Supervisor or the de	tion of Management Off or in 5.U.S.C. 7103(a)(i e interval work and meet wage system and meets two-grade interval work of the above definitions	ficial in 5.U.S.C. 710). Its the minimum received and meets the mir. This is a non-sup of the major duties are the lam responsible.	ot meet the minim 103(a)(11), but doc quirements for app equirements as speciments in requirement pervisor/non-manage and responsibilities of The certification is n	um requirements not meet the lication of Partecified by those ats for applicatingerial position. This position and the with the known and the with the known and the ments may continue to the second and the second an	GSSG definit I of the Worle job standard ion of Part II of d its organization owledge that this	tion of the tion of the tion of the the the the	
Steven M. Neug	ebore	n, Associate General Co	unsel, WLO	Elise B. Packa	rd, Acting Princ	cipal Deputy	, General C	ounsel	
b. Signature 10. OFFICIALCI standards published by	ASSIF	ICATION CERTIFICATIO	c. Date 12/13/2 N: I certify that this position or if no mublished standard to a few models and the control of the control o	e. Signature	Vgraded as required	by Title 5, U.S. (f. Date	e 8 17	
a. Promotion Pot This position has	ential	motion potential	sition develops as plann notion potential to grade	ed and employee p					
b. PSB Risk Design 1 Low 2 Moderate 3 High Security Clearance Required: 1 Yes		c. Financial Disclosure For OGE-450 Required OGE-278 Required No financial disclosure forms required	d. "Identical, Ad Allocation This may be IA'ed may not be IA	ical, Additional" (IA) n This position e IA'ed e. FLSA Determination F. Function Classificat (*check exemption category) f. Function Classificat Code					
g. Bargaining h Unit Code (b) (6)	. Check Medic Extra	i, if applicable: cal Monitoring Required nural Resources Management osition is subject to random de		i. Classifier's Signature j. Date of time) 1/24/2018					
11. REMARKS									

PARALEGAL SPECIALIST, GS-0950-11 STATEMENT OF DIFFERENCE GS-11

(Two grade interval series)

This is a statement of differences to the full performance GS-12 position identified on the cover sheet. The incumbent of this position will function at the GS-11 level until all legal, regulatory and administrative requirements which permit assigning the GS-12 performance level duties are met. Promotion to the GS-12 level is neither mandatory nor automatic upon completion of these requirements. Management retains the right to determine when the incumbent is qualified for the next higher grade. All duties and responsibilities in the referenced PD are assigned to the incumbent of this position with the following amendments:

At the GS-12 grade level, the incumbent will serve as a Paralegal Specialist for all duties and responsibilities described in that level. The incumbent works under the supervision of the Associate General Counsel, Water Law Office (WLO), who assigns and sets the overall objectives for the work, outlines issues to be addressed, and makes resources available. The incumbent is responsible for providing legal and administrative assistance to WLO attorneys who perform litigation and counseling services at EPA. Incumbent is responsible for independently developing approaches and solutions to problems encountered. The supervisor is available in situations involving controversial or complex questions. The employee, having developed expertise in the line work, is responsible for planning and carrying out assignments; resolving conflicts which arise; coordinating the work with others as necessary; and interpreting policy on own initiative with established objectives. Applies judgment in adapting standard guidelines, and applying analysis and technical skills to new situations and problem areas. Completed work is reviewed only from an overall standpoint in terms of feasibility, compatibility with other work, and effectiveness in meeting requirements or expected results.

PARALEGAL SPECIALIST, GS-0950-12

INTRODUCTION

This position is located in the Water Law Office of the Office of General Counsel, U.S. Environmental Protection Agency (EPA). The incumbent works under the supervision of the WLO Associate General Counsel and provides a variety of paralegal support to WLO attorneys responsible for performing litigation and counseling services at EPA in the areas of water and administrative law.

MAJOR DUTIES AND RESPONSIBILITIES

Under the direction of WLO attorneys, incumbent performs legal research of relevant statutes, case law, legislative history, regulations and governing policy. Prepares legal memoranda, or other appropriate summaries, setting forth the issues researched and all applicable authority discovered.

Assists WLO attorneys on administrative and judicial cases and participates in special projects dealing with complex legal issues. Receives and analyzes motions and other filings, researches pertinent legal issues and assists with the preparation of government motions to be filed in administrative proceedings or in federal district, appellate, or Supreme Court. Prepares draft replies to case-related public and controlled correspondence, and coordinates review of the proposed drafts with other offices, as appropriate.

Gathers and analyzes factual data related to litigation or other matters. Assists attorneys by preparing exhibits, procedural histories, statements of the case, memoranda, and other records to be used to support administrative proceedings or litigation. Assists attorneys in initiating, maintaining and monitoring litigation holds.

Performs legal administrative duties in connection with rulemakings and other Agency actions that may result in litigation. Assists WLO attorneys in developing, compiling and maintaining administrative records for rulemakings and other actions, including responding to public comments; providing legal and logistical support for organizing, distributing, and uploading administrative record information into Agency databases; and providing legal research support to address complex legal questions arising in public comments.

Assists attorneys in compiling administrative record cites for briefings. Identifies and compiles documents pertaining to key legal issues in assigned cases. Responsible for developing and maintaining a system of document control, including setting up computerized indexes and systems of analysis, maintaining logs, and arranging for physical storage.

Provides comprehensive litigation support with respect to cases handled by attorneys in the Water Law Office, including developing and maintaining litigation databases; researching and answering questions about the litigation; preparing declarations for Agency officials; and responding to discovery requests.

Provides comprehensive support for FOIA document searches and review for which the Water Law Office is responsible, including document organization, management, retrieval and review. The incumbent is responsible for searching, reviewing, tracking, and updating FOIA responses. Incumbent

uploads documents into FOIA online and coordinates with other offices within EPA on FOIAs, as appropriate.

Utilizes electronic litigation software for research, discovery, administrative record compilation and review, and court filings. Performs legal, factual, historical and other forms of research using online tools and search engines. Employs electronic and automated docketing systems with all court filings. Manages the conversion of hard copy documents into electronic documents; prepares PDF documents for review, redaction and release. The incumbent must be familiar with ECF/PACER and e-filing, and other such electronic automated databases and search engines.

Performs other duties as assigned.

FACTOR 1 – Knowledge Required by the Position (Level 1-7 1250 points)

In-depth knowledge and skills to effectively apply various laws, court and/or administrative decisions and interpretations, rules, regulations, policies, and procedures which pertain to the administration of legal programs and litigation under the Clean Water Act, the Safe Drinking Water Act, and a variety of related water and administrative statutes; highly developed, specialized legal skills and proficiency sufficient to analyze and evaluate the relevance of particular technical evidence or questions which arise in the conduct of specialized legal programs; perform extensive and thorough legal research into the legislative history and precedential cases, decisions and options that may be applicable to particular legal matters; investigate and become thoroughly familiar with subject matter details involved in a case or legal matter; determine the specific data needed and best approach to obtain this data or to determine the relevance or sufficiency of available legal, technical or related data; coordinate actions with other EPA offices and Federal agencies that have close-related responsibilities.

Specific knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to recognize and explore leads, detect small discrepancies in information, prepare appropriate memoranda and track work assignments.

Knowledge and ability to use personal compute in litigation and administrative record support and to perform legal research using litigation-related databases such as Relativity, Encase, and Lexis.

FACTOR 2 – Supervisory Controls (Level 2-4, 450 points)

Incumbent reports directly to the Associate General Counsel, Water Law Office. Work assignments are assigned by staff attorneys, Assistant General Counsels and the Associate General Counsel who will outline the objectives of the assignment. Incumbent consults with supervisor, Assistants and/or staff attorneys on deadlines and precedents, plans and carries out assignments independently, and proposes solutions on unusual problems after conferring with supervisor, Assistant and/or staff attorneys. Work products are reviewed by staff attorneys for soundness of approach and argument, application of legal principles, and consistency with governing policies, procedures and regulations of the Agency, DOJ or the court.

FACTOR 3 – Guidelines (Level 3-4, 450 points)

Guidelines consists of applicable law, implementing regulations, Federal Rules of Evidence, local court rules, Federal Rules of Appellate Procedure, court decisions, opinions, commercial legal publications, and Agency guidances and directives. Incumbent must exercise critical judgement and initiative in selecting, interpreting and evaluating the applicability of the guidelines. Guidelines are not easily applied to varied situations encountered since they many only partially relate to the circumstances or may have been significantly limited in usefulness by later decisions or interpretations. The incumbent's findings may serve to modify and augment existing Agency guidelines and provide the basis for new or modified evaluation criteria.

FACTOR 4 – Complexity (Level 4-5, 325 points)

Work requires a variety of diverse, and problem-solving analytical duties such as determining appropriate action when motions are received, making recommendation to the supervisor, Assistants and staff attorneys regarding procedures and case management, determining whether information is missing or necessary for case processing or rulings, developing templates, and advising parties of procedural options under applicable regulations. The work requires interpretation and evaluation associated with the resolution of unusually complicated legal matters with voluminous documentation. The incumbent researches complicated or esoteric statutory, regulatory, court and administrative precedents, and other legal opinion or documentary material and prepares various legal documents such as questions for interrogatories, comprehensive litigation reports which serve as the basis for critical legislative, regulatory, judicial, administrative, or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions and discovery is also required.

The work includes determining what needs to be done to successfully accomplish the goals of the Agency in the context of several statutory schemes pertaining to water laws; as well as administrative laws such as the Administrative Procedure Act, the Freedom of Information Act, and the Paperwork Reduction Act; and other laws that relate to actions taken by the Agency under its water laws, such as the Endangered Species Act, tribal treaty rights and the U.S. Constitution. The requirements of the various statutes and legal provisions are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various laws. Incumbent interprets and evaluates disparate information gathered from a variety of sources and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation processes resulting from such elements as continuing changes in the law or the program, technological developments, unknown phenomena or conflicting requirements. Collects, sorts, and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from circumstantial evidence.

FACTOR 5 – Scope and Effect (Level 5-4, 225 points)

The work performed affects the efficiency of the Water Law Office and has implications for the implementation of water law efforts of the entire EPA, including the regional offices. The position provides a specialist to assist in the development of environmental cases pursuant to the various statutes and laws described in the previous paragraphs. The purpose of this work is to research, plan, review,

negotiate, and recommend courses of action relevant to actions of the Agency under the water laws that will assist staff attorneys in carrying out their responsibilities and free them to perform other legal work and enhance the effectiveness of the Water Law Office in carrying out its mission. In doing so, the incumbent monitors the consistency of process, legal and administrative decisions issued throughout the Agency and essential to project or case development.

The work involves developing strategies for handling complex and sometimes large legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of research, findings and highly specialized problems relating to project or case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems and unusual fact situations. Involves complex technical, legal and administrative issues resolved on a case-by-case basis that may lead to recommendations for handling of a case, rulemaking or administrative action.

FACTOR 6 – Personal Contacts (Level 6-3, 60 points)

Works closely with Assistants, staff attorneys, program or client agency staff, court staff, other paralegal specialists, program assistants, and opposing counsel. Also has contact with Agency offices, Department of Justice, U.S. Attorney Offices, other Federal agencies, state and local governments, and contractors. Contact with the general public is also likely.

FACTOR 7 – Purpose of Contacts (Level 7-2, 50 points)

The purpose of contacts is to plan and coordinate assignments, to share and explain information and findings, persuade other agency personnel with different viewpoints on the merits of a proposed action, and work with employees in multiple agency offices on projects that may require cooperation such as assembling or reviewing data from different sources, or preparing for or responding to interrogatories, subpoenas, document productions, depositions, or other litigation developments, file reviews, or FOIA responses.

FACTOR 8 – Physical Demands (Level 8-1, 5 points)

Work is generally sedentary with some physical demands (for example, the management of large document collections might involve moderate to heavy lifting) and other activities normally required in any office, such as bending, stopping, walking, and carrying and gathering items such as books, files, exhibits, and papers required during research or review activities.

FACTOR 9 – Work Environment (Level 9-1, 5 points)

Work is performed in an office which is adequately lighted and climate-controlled, and in accordance with normal office safety precautions and procedures.

TOTAL: 2820 points

GS 12 range: 2755-3150 points



United States ENVIRONMENTAL PROTECTION AGENCY Washington, DC 20460

Position Risk Designation Checklist

AA	ship/Region: OGC	Type of Action: Recruit	ment	SF 52 Request No.:
Pos	sition Title/Series/Grade: Paralegal	Specialist, GS-950-11		
Ful	Performance Level (FPL) of Position	on: FPL: GS-12		
	, , , , , , , , , , , , , , , , , , , ,	(Risk designation is base	ed on	FPL)
Fur	nctional Title (If applicable): Paraleg	al Specialist		
-			ition ti	itle may be Life Scientist, but function may be Permit Writer
Ser	vice Agreement, Please provide the S	ervice Agreement No.:		be funded through your Working Capital Fund (WCF) . (Your Service Agreement Account rocessed unless the service agreement number is provided
re	assignments, recruitments) involving a	change in position descripti	on ex	all personnel actions (appointments, details, promotions, ceeding 180 days. The completed form will help the level. This form must be submitted with the SF 52 package
	nswer all "Yes/No" questions based on eded. If you have questions, please c			ere explanations are requested, attach additional pages, as e or service center.
1.	Is the position one of the followin If "Yes," please indicate the position NOTE: Unless otherwise specified,	nt of the above position?, please skip all remaining quiting predesignated positions' below, answer question 3, states predesignations are effective.	estion?	Yes No maining questions, print pages 1-2, and sign and date the form. a up to and including Grade 13. Grade 14 and 15 positions
	must be individually designated, req	uiring the completion of ques	_	
	Attorney—Moderate			IT Specialist (Enterprise Architecture)—Moderate
	Bench Scientist, such as chemis biologist, etc. —Moderate	t,	_	IT Specialist (Internet)—High
	Contract Project Officer—Moder	ate		IT Specialist (Network Services)—High
	Contract Specialist—Moderate	aic		IT Specialist (Operating System)—High
	Criminal Investigator (all grades,	all positions). High		IT Specialist (Policy and Planning)—Moderate
	Deputy Division or Division Direct			IT Specialist (Security)—High
	Financial Specialist/Accountant/	toi—riigii	_	IT Specialist (System Administrator)—High
	Budget Analyst—Moderate			IT Specialist (Systems Analysis)—Moderate
	Grants Project Officer—Moderat	e	_	On-Scene Coordinator (all grades, all positions)—High
	Grants Specialist (GS 12 and be		_	Permit Writer—Moderate
	Grants Specialist (GS 13 and ab			Public Affairs Specialist/Community Involvement
	HR Specialist (Benefits)—Moder			Coordinator—Moderate QA Scientist —Moderate
	HR Specialist (Classification)—L		_	
	HR Specialist (ER/LR)—Modera			RCRA Corrective Action Officer—Moderate
	HR Specialist (Generalist)—Mod			Remedial Project Manager—Moderate
	HR Specialist (Staffing)—Modera			Site Assessment Manager—Moderate
	HR Specialist (Training)—Low	ato	H	Support Services Specialist—Moderate
	Inspector—Moderate			Toxicologist—Moderate
	IT Specialist (Application Softwar	ro) High		OIG Employee (all grades all positions). High
			-	OIG Employee (all grades, all positions)—High
	IT Specialist (Customer Service)		_	Other Known High-Risk Position—High
	IT Specialist (Data Management)—ivioderate		Supervisor of High-Risk Employee(s)—High
3.	Requires access to classified info w/package.) What clearance level is			No (If "Yes," include clearance justification Secret

NOTE: If you answered "Yes" to No. 2 and have answered No. 3, skip remaining questions, print pages 1-2, and sign/date the form.

SF	52 Request #:				
Ans	swer all "Yes/No" questions based on the FPI	position description	n. If exp	planations are requested, attach addition	nal pages.
4.	Proprietary information	Confidential busing Personally identifiand Sensitive personal	ess info able inf lly iden		oirth)
5.	The scope of this position is: Local Regional	✓ National		ilobal	
6.	The impact/potential harm this position Internal to EPA Multi-Agency	could cause would //Government-wide	d be:	Beyond the Government	
7.	Position is a presidential or political app	pointment: Yes	V	No	
8.	Requires access to hazardous or dange What materials are involved?	rous material (nucl	lear, bi	ological, or chemical): Yes	No
9.	Makes policy that affects AAship, Regio	nal or Agency oper	rations	(not simply local branch or section ope	erations):
10.	Makes independent decisions or author supervisory approval/sign off: Yes	itative recommenda	ations	that are not subject to substantive v	erification or
11.	Obligates the agency to take action or s What actions? What amount of funding typically?	pend funds: Ye	s	No What is the ceiling?	
40					
12.	Interacts with external contacts when peorganizations: Yes No (If "Yes,"			presents the agency to citizens or e	xternai
	Communicates with: EPA personnel Government entities outside of EPA Audience beyond government, including media, private industry, academia, environmental interest groups	public rela Participate:	ctual inf ations n es in me erial on	ormation (e.g., technical or policy repor	
13.	Protects or identifies critical infrastructu telecommunications: Yes No What systems/programs are involved?	ire systems/progra	ıms, sı	ch as water treatment, other utilities	, or
14.	Directly enforces health regulations and	or protects public	safety	Yes No	
15.	Investigates or audits government or no (Note: Relates to investigating and auditing What personnel, programs, and/or activities	, but not simply over	onnel, erseei	programs, and/or activities: Yes	₽No
16.	Information technology (IT) position that or infrastructure: Yes No (Note				ystems, databases,
17.	Requires official EPA credentials: Yee (Note: Credential bearers represent the age	s No ency and perform sp	ecific o	ivil enforcement tasks, e.g., EPA insper	ctors.)
18.	Other unique or critical characteristics/d Describe:	uties/requirements	s not p	reviously covered? Yes No	
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	ame (Please Print) ssociate General Counsel, Water Law Office	Signat	ture	12	13117
Tit				Date	

Investigate

Position Designation Record

Agency ENVIRONMENTAL PROTECTION AGENCY

Position Title PARALEGAL SPECIALIST

Series and Grade/Pay GS-0950-12

Band

Position Description N095012

Number

Designator's Name & TINA MAK, HR SPECILAIST

Title

National Duties	Degree of Potential for Compromise or Damage
Duties related to criminal justice or law enforcement	 Duties are of such a minor or inconsequential nature and/or internal controls and supervision are so significant that there is no reasonable expectation that there could be significant or serious damage to national security

Potential for Compromise or Damage

Duties	Degree of Potential for Compromise or Damage
Protection of personal, private, controlled unclassified, or proprietary information-with the potential to damage the public's trust (includes access to or processing of personal information such as that protected by the Privacy Act (PA) of 1974, exempt from disclosure under the Freedom of Information Act (FOIA), financial data, or	One or more of the following: • Access to personal, private, proprietary, or controlled unclassified information, the unauthorized disclosure of which could cause very limited damage to individuals, business entities, or government

Duties	Degree of Potential for Compromise or Damage
privileged information involving the award of contracts, contractor proprietary information, etc.)	programs or operations or any potential damage is limited to the local level • Duties are carried out under such restrictive controls that the risk of violating the public's trust is extremely limited

Adjustment for Program Designation and Level of Supervision

Adjustments	Label
Adjustment for Scope of Program and Correlation to Extent of Impact (see definitions)	Agency impact
Adjustment for level of supervision or other controls	Periodic, ongoing review - ability to act independently a lot of the time

Total Points Designation

Label	Points
Total Initial Position Designation Points from Step 2	1
Adjusted Position Designation Points from Step 3	1

Investigation	Form Required
T1	SF 85

Sensitivity	Risk Level
Non-Sensitive	Low Risk

Designator Notes/Justification/Comments
Low Risk

Name: Tina Mak

J. CLASHICATION ACTION: a Reference of Series and Date of Stundards Used to Classify this Position C. Pay Plan d. Series c. Grade f. 6. Official Allocation Parallegal Specialist 4. Supervisor's Recommendation 5. ORGANIZATIONAL TITLE OF POSITION (if any) Foreigned Specialist 7. ORGANIZATIONAL TITLE OF POSITION (if any) Foreigned Specialist 7. ORGANIZATIONAL TITLE OF POSITION (and Special Specialist) 8. NAME OF EMPLOYEE Foreigned Specialist 7. ORGANIZATIONAL TROTE CONTROL AGENCY 6. NAME OF EMPLOYEE Foreigned Specialist 7. ORGANIZATIONAL TROTE OF POSITION AGENCY 6. NAME OF EMPLOYEE Foreigned Specialist 8. CLIPS ENVIRONMENTAL PROTECTION AGENCY 6. Immediate Office of the Administrative Law Judges 8. SUPERVISORY STATUS 12. Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirement for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in oth position classification standards. 12. Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisor Guide (GSSG) or similar standards for minimum supervisory responsibility specified in oth position classification standards. 12. Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of SSG. 13. Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of GSSG. 14. Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of GSSG. 15. Management Official. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of GSSG. 16. Lead Position leads a team performing two-grade interval work and meets the minimum requirements fo	PO	ronmental Protection Agency SITION DESCRIPTION COVERSI	HEET	DUTY LOCAT Washingt	ton, D.C.	2. POSITIO	N NUMBE	R
Official Allocation Paralegal Specialist	Part of the second seco		Date of Standards Used	to Classify this Position	10 TS-	10 au	81981	٥
Official A. Supervisor's Recommendation A. Supervisor's Recommendation A. Supervisor's Recommendation A. Supervisor's Recommendation B. ORGANIZATIONAL TITLE OF POSITION (if any) B. ORGANIZATION (Give complete organizational breakdown) C. ORGANIZATION (Give complete organizational breakdown) C. Immediate Office D. Office of the Administrative Law Judges B. SUPERVISORY STATUS D. Office of Administrative Law Judges B. SUPERVISORY STATUS D. Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirement or application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in oth position classification standards. D. [4] Supervisor. Position meets the definition of Supervisor in S.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of SGSG. D. [5] Management Official. Position meets the definition of Supervisor in S.U.S.C. 7103(a)(10), but does not meet the CSGS definition on Supervisor in S.U.S.C. 7103(a)(10). D. [6] Lead Position leads a team performing one-grade interval work and meets the iminimum requirements for application of Part I of the Work Lead Grade Evaluation Guide (VLICEG) or is under a wage system and meets similar minimum requirements so specified by the supervisor of SUSC. 7103(a)(10). D. [7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part I of the Work Lead Grade Evaluation Guide (VLICEG) or is under a wage system and meets similar minimum requirements for application of Part I of the Work Lead Grade Evaluation Guide (VLICEG) or is under a wage system and meets similar minimum requirements for application of Part I of the Work Lead Grade Evaluation Guide (VLICEG) or is under a wage system and meets similar minimum requirements for application of Part I of the Work Lead Grade Evaluation Guide (VLICEG) or is under a wage system and mee	tres for t	001000-1-		23 03 0 10		d. Series	e. Grade	f. CLC
Recommendation S. ORGANIZATIONAL TITLE OF POSITION (if any) Parallegal Specialist 7. ORGANIZATION (Give complete organizational breakdown) a. U.S. ENVIRONMENTAL PROTECTION AGENCY b. Office of the Administration & Resources Management c. Immediate Office d. Office of Administrative Lew Judges 8. SIPERVISORY STATUS 2. Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirement for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in oth position classification standards. 2. Supervisor or Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of SSG. 3. Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of SSG. 3. Supervisor. Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of Supervisor in 5.U.S.C. 7103(a)(11), but does not meet the minimum requirements for application of Supervisor in 5.U.S.C. 7103(a)(11), but does not meet the minimum requirements for application of Supervisor in 5.U.S.C. 7103(a)(11), but does not meet the minimum requirements for application of Supervisor in 5.U.S.C. 7103(a)(11), but does not meet the minimum requirements for application of Part 1 of the Work Lead Grade Evaluation Guide (WL)GEO) or is under a wage system and meets the minimum requirements as specified by those job standards or of directives of the applicable pay system. 3. Typed Name and Title of Supervisor standards or of the control of Supervisor standards or of the position secsory to cary one governmental functions for which an reposition. The entification is made with the knowledge that this information is to be used for s						0950	12	
S. ORGANIZATIONAL TRITLE OF POSITION (if any) Paralegal Specialist 7. ORGANIZATION (Give complete organizational breakdown) a. U.S. ENVIRONMENTAL PROTECTION AGENCY b. Office of the Administrative Law Judges c. Immediate Office d. Office of Administrative Law Judges i. Organization Code h. Employing Office Location i. Organization Code HOD00000 8. SUPERVISORY STATUS 2 Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirement for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in oth position classification standards. Nation for Position Research to definition of Supervisory or managerial responsibilities that meet, at least, the minimum requirement for application or position classification standards. Management Official Position meets the definition of Supervisory or managerial responsibilities that meet, at least, the minimum requirements for application or Supervisory or minimum supervisory responsibility specified in oth Supervisor or SUSC. C. 7103(a)(10), but does not meet the minimum requirements for application or Supervisor Manager or the definition of Supervisor in S.U.S.C. 7103(a)(10), but does not meet the GSSG definition or Supervisor Manager or the definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition or Supervisor Manager or the definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition or Supervisor Manager or the definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition or Supervisor Manager or the definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition or Supervisor Manager or the definition of Supervisor in S.U.S.C. 7103(a)(11), but does not meet the GSSG definition or Part 1 of the Work Los Grant Supervisor Management Official provisor Management or Management or Management or Management or								
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Office of Administrative Law Judges i. Organization Code HOD00000	b. Office of th	e Administration & Resources M	Management	g.				
S. SUPERVISORY STATUS 2 Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirement for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in oth position classification standards. 3 Supervisor. Position meets the definition of Supervisor in S.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application or GSSG. 5 Management Official. Position meets the definition of Management Official in S.U.S.C. 7103(a)(10). 6 Leaf Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part I of the Work Least Grade Evaluation Guide (WLGEG) or is under a wage system and meets similar minimum requirements as specified by those job standards or or directives of the applicable pay system. 17 Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGEG. 8 All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position. 9. SUPERVISORY CERTIFICATION Tertify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or miscretization is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or miscretization statutes or their implementing regulations. a. Typed Name and Title of Second-Level Supervisor Bruce M. Franklin, Director of Operations, OALJ b. Signature c. Date c. Signature d. Typed Name and	c. Immediate	Office		h. Employing Off	ice Location			
[2] Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirement for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in oth position classification standards. [4] Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application or GSSG. [5] Management Official. Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition or Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10). [6] I. Lead Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part 1 of the Work Leader. Position leads a team performing two-grade interval work and meets the minimum requirements as specified by those job standards or or directives of the applicable pay system. [7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGEG. [8] All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position. [9] SUPERVISORY CERTIFICATION Certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purpose relating to appointment and payment of public funds, and that false or may constitute violations of statutes or their implementing regulations. [8] All Other Position has no promotion potential [9] Final position for promotion potential [10] Final position potential to grade: [10] Final position potential to grade: [10] Final position potential t	d. Office of A	dministrative Law Judges		i. Organization Co	ode H0	D00000		
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PARALEGAL SPECIALIST GS-950-12

INTRODUCTION:

This position is located in the Office of Administrative Law Judges (OALJ). The OALJ conducts hearings and renders decisions in proceedings between the EPA and persons, businesses, government entities, and other organizations regulated under environmental laws. In accordance with the Administrative Procedures Act, ALJs preside in enforcement and permit proceedings. The incumbent works under the direction of the Administrative Law Judges (ALJs) and presents legal work to ALJs for review and modification.

Major Duties and Responsibilities:

Participates in the substantive processing of cases by performing the following functions: (90%)

- Prepares orders for the ALJ's signature, including orders on motions based on established case precedent, orders on unopposed motions, orders directing prehearing information exchange, scheduling orders, orders granting amendment of pleadings and prehearing exchange, orders granting disrnissal of complaint and withdrawal of complaint, orders staying proceedings, extensions of time, and orders terminating and suspending the Alternative Dispute Resolution (ADR) process. Reviews and analyzes case file and motions and other submissions from parties and independently determines and makes recommendations to the ALJ on whether and when to prepare such orders, and whether to grant parties' requests. Summarizes procedural history of case and parties' arguments. Determines schedules for submissions of documents.
- Prepares memoranda to prepare ALJ for ADR conferences. Reviews case file, determines
 allegations of violation, defenses, and disputed factual and legal issues, and summarizes them
 in the memoranda. Drafts procedural history of case, summary of parties' arguments and
 procedural orders for incorporation into larger decisions and orders issued by ALJ. Advises
 the ALJ of any irregularities in the case.
- Prepares templates of ALJ decisions and orders for use by ALJ, OALJ staff attorneys, legal
 interns and paralegals to utilize for efficient drafting of decisions and orders. Conducts legal
 research and drafts legal analyses to include in the templates.
- Prepares written correspondence to parties in cases pending before ALJs, regarding procedural, OALJ policy, scheduling and logistical issues, and in response to parties' correspondence to the ALJ. Schedules and initiates Alternative Dispute Resolution conferences. Participates in the Judge's ADR teleconference by taking notes, memorializes these notes in a memo to be incorporated in case files. Conducts ex parte calls with the parties requesting the status of settlements, financial discussions, and scheduling of follow up teleconference. Reports to ALJ the status of parties' settlement negotiations. Checks, proofreads and corrects legal citations in ALJ's and staff attorneys' draft decisions and orders.

- Uses computerized legal research systems including Lexis, Westlaw and federal government websites to obtain and draft legal analyses of statutory provisions, regulatory provisions, decisions of courts and administrative tribunals, and policy documents.
- Manages and assists in prioritizing ALJ's workload. Generates and updates reports of ALJ's docket. Monitors status and disposition of all cases on the docket. Records all documents received and orders and decisions issued. Monitors time sensitive issues and advises ALJ and staff attorneys of actions needed. Prepares reports for, and participates in, conferences with ALJs and staff attorneys to prioritize and balance workloads of ALJs and staff attorneys. Maintains the ALJ's calendar on a continuing basis for travel, conferences, hearings, training and other matters.
- Prepares index of hearing transcripts. Reads voluminous transcripts, which include transcription of highly technical testimony, and lists subjects of testimony with citations to page numbers. The index enables the ALJ to efficiently find certain passages of testimony and to cite correctly to the transcript in the ALJ's decisions.
- Prepares Certificates of Service for ALJs' decisions and orders, and serves them by various
 methods, determining which method is appropriate given various procedural rules, parties'
 needs, and any time sensitive issues in the case. Examines case files to determine sufficiency
 of documentation.

In addition, performs the following administrative tasks for OALJ:

(10%)

- Prepares a monthly case status report of the ALJ's docket. Reviews and analyzes productivity data.
- Arranges travel and courtrooms for ALJs and staff attorneys to travel to hearings in locations throughout the United States and prepares travel authorizations, vouchers and reports for ALJ's travel. Coordinates with other offices as required.
- Prepares international travel documentation relating to an Administrative Law Judge's speech, conference, and meeting schedule, including visa and passport applications, ethics documentation and all other official travel authorizations and vouchers. International communication with professors, government officials, and non-government officials (NGOs) or other attendees are established.
- Reviews Peopleplus and leave requests biweekly for accuracy of time/attendance of all OALJ judges and staff. Receives, edits and monitors Peopleplus request changes and schedule changes as needed. Assists in conducting informal training to Legal Assistants and other support staff for the implementation of Episodic Telework and remote access of the Case Tracking System and Workplace. Serves as point of contact and power user for MS-Outlook
- Serves as associate coordinator for the Freedom of Information Act (FOIA), the Toxic Substance Control Act (TSCA) and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Serves as associate Confidential Business Information (CBI) officer. Attends

required training in these areas.

FACTORS

Factor 1. Knowledge required by the Position-

Level 1-7 1250 Points

Knowledge of and skill in summarizing and analyzing issues of fact and law in briefs, motions, transcripts and legal memoranda related to environmental enforcement and other cases over which OALJ exercises jurisdiction, sufficient to prepare summaries of issues and arguments, procedural history, and legal analyses on issues with established case precedent.

Knowledge of legal processes (administrative litigation, Alternative Dispute Resolution, and environmental law); various sets of procedural regulations, including 40 C.F.R. parts 22 and 16 as well as Agency and federal policies and practices and precedent decisions and orders sufficient to analyze legal and factual issues, draft orders and recognize irregularities on procedural issues, memoranda, correspondence and reports for the ALJ.

Knowledge of legal reference sources in electronic systems, agency manuals, reference systems, directives, issuances, precedent decisions, court decisions, and commercial legal publications sufficient to perform extensive and thorough legal research into the legislative history, precedent cases, decisions and opinions that may be applicable; to evaluate the relevance of and summarize substantive information; to assist in case preparation; and to insure that information is lawfully released or withheld.

Knowledge of Boolean search methods sufficient to research various legal issues using computerized text searches.

Knowledge of proper legal citation forms.

Factor 2, Supervisory Controls-

Level 2-4 450 points

Incumbent works under the direct day to day supervision of the Administrative Law Judge (ALJ). The ALJ sets the overall objectives, priorities, and results expected. The incumbent and the ALJ in consultation, determine the specific scope of work to be performed, deadlines and priorities. Incumbent makes independent decisions on administrative and procedural support matters where incumbent has knowledge and expertise.

The incumbent independently plans and carries out assignments and coordinates activities with OALJ staff attorneys, hearing clerks, and other Agency staff. The incumbent anticipates case processing timeframes, procedural requirements, and coordinates workload to ensure timely processing of cases given regulatory and statutory time limitations, hearing schedules, and differing procedural needs for various types of cases. Paralegal Specialist recommends to ALJ the approach to be taken and methodology to be used, and keeps ALJ informed of irregularities or special concerns in cases. ALJ provides guidance on complex legal or policy issues.

Completed work is submitted to ALJ in final form for review and signature. Work is reviewed for the soundness of the employee's analysis.

Factor 3, Guidelines-

Level 3-4 450 points

Guidelines consist of applicable titles of the law, implementing regulations, procedural regulations. EPA policies, manuals and directives, decisions of ALJs and Environmental Appeals Board, and court decisions. In addition, incumbent must work with various guidelines from other Federal government agencies applicable to cases before the ALJ under Interagency Agreements, including statutes, substantive and procedural regulations, policies, and directives. Issues arising in cases often are not clearly covered by such guidelines. Facts alleged in support of motions may not be clearly within guidelines. Guidelines for various types of cases of cases may be inconsistent. Paralegal specialist must search for appropriate guidelines and use judgment as to depth and thoroughness of search given time limitations and workload priorities. Within the context of broad policies and directives, incumbent may refine or develop more specific guidelines.

The employee uses judgment in selecting and adapting guidelines to specific situations and cases and recommends changes in the manner of analyzing and processing similar cases.

Factor 4. Complexity-

Level 4-5 325 points

The work requires a variety of diverse analytical duties such as determining appropriate action when motions are received, making recommendations to the ALJ regarding procedures and case management, determining whether information is missing or necessary for case processing or rulings, developing templates, and advising parties of procedural options under applicable regulations.

The different sets of procedural rules, policies, guidelines and case precedents that apply to the various cases vary significantly and are often inconsistent. There are numerous types of procedural motions and a wide variety of facts are asserted in support of such motions, and the paralegal specialist must identify the appropriate legal authorities and determine the most applicable policy, guideline and/or case precedent to determine whether to grant a motion. Motions and supporting documentation may be voluminous and unorganized. The incumbent must identify issues, interpret and summarize arguments and interpret and apply the procedural regulation or other authority to the facts of the case and provide an analysis for granting or denying the motion.

The paralegal specialist must balance multiple assignments on the ALJ's litigation and ADR dockets, prioritize assignments and work under time pressures to ensure timely issuance of orders and other case proceedings.

Factor 5 Scope and Effect-

Level 5-4 225 points

The purpose of the work is to resolve procedural issues and process cases through application and interpretation of regulations, guidelines, precedents and policies. Paralegal Specialist determines

and implements appropriate methods of resolving issues, such as drafting an order, preparing a memorandum, making a recommendation to the ALJ of action to be taken, or corresponding with parties or other individuals.

The work product increases the ALJ's productivity and directly affects OALJ's production goals and efficiency of ALJ's litigation and Δ DR dockets, which reduces the duration of litigation, ensures timeliness of hearings, and assists in successful resolution of cases through Δ DR. Drafting procedural orders, developing templates for orders and decisions, indexing transcripts, and proofreading significantly reduces Δ LJ's and OALJ staff attorneys' time drafting decisions and orders.

The quality, quantity and accuracy of the paralegal specialist's activities directly contribute to the timeliness, due process and fairness to parties in OALJ cases, and the accuracy of content in ALJ's decisions and orders. The ALJ's decisions and orders are appealed to the Environmental Appeals Board (EAB) and other Federal agency appellate tribunals, and therefore the work of the incumbent affects the issues arising before these tribunals.

Factor 6 Personal Contacts-

Level 6-3 60 points

Contacts are with private and government attorneys, self-represented respondents, company officials, court clerks, officials of environmental organizations, Agency hearing clerks, Agency Regional Judicial Officers, and others. Contacts are generally by telephone or teleconference and are for various purposes including duties related to ADR and litigation cases, and are initiated by the paralegal specialist, the person requesting information or assistance, or another party.

Fuctor 7, Purpose of Contacts-

Level 7-3 120 points

The purpose of contacts is to provide and clarify factual, scheduling or procedural information; to arrange multi-party conferences with the ALJ; to inquire as to progress in a pending case; request missing or additional documentation; and to obtain information for the ALJ to determine appropriate course of action in case processing and managing caseload. Paralegal Specialist must use tact, persuasiveness and diplomacy to persuade individuals to provide information, submit documents, or to accomplish ALJ's needs and goals in scheduling, where individuals may try to avoid providing information, avoid involvement, insist on preferred schedule, or may be hostile.

Factor 8, Physical Demands -

Level 8-1 5 points

The work is generally sedentary.

Factor 9. Work Environment-

Level 9-1 5 points

Work is generally conducted in an office atmosphere.

Extramural Resources Management Duties Checklist

This checklist must be used with all PDs to identify the percentage of time an employee is engaged in duties related to managing contracts, grants, cooperative agreements, and interagency agreements. For positions requiring performance of these duties for 25% or more of the employees time, in addition to this checklist, such duties must also be described in the body (major duties area) of the PD.

			on		Percentage of Time Spent on Extramural Resources Management				
Name				0	This position has no extramural resources				
					management responsibilities.				
Positio	on Numbe	er	NO95012		Total extramural resources management duties				
					occupy less than 25% of time.				
Title Paralegal Specialist		cialist	0						
Title	raraice	jai opi	Claiist	U	Total extramural resources management duties				
	-				occupy 25% to 50% of time. These duties are				
	-				indicated below and described in the position				
	1				description.				
Series	/Grade	GS-	11/12	0	Total extramural resources management duties				
					occupy more than 50% of time. These duties are				
					indicated below and described in the position				
_		-			description.				
Organ	ization								
When	this ched	:klist i	s used as an amendment to	a position de	scription, the following signatures are required:				
			0						
Super	visor's S	ignatu	re Bruce Franklin	MAL	Date 4/24 2015				
Perso	nnel Spe	cialist	s (Inche Osh	ster	Date (6/10/15				
			0						
2		NATION.							
	Contract	s Mana	gement Duties						
	Contract	s Mana	gement Duties		Monitors management and performance of				
Part 1.		s Mana	gement Duties		Monitors management and performance of				
^-	ward:				delivery orders/work assignments after award				
Part 1.	ward: Plans Pro	ocurem	ents		delivery orders/work assignments after award Defines scope of work for work assignments				
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Part 2. Grants/Cooperative Agreements Duties	Advises Grants Management Office of potential
5	problems/issues
Pre-application/Application:	Participates in decisions/actions to ensure
Prepares solicitation for proposals	successful project completion and in decisions to
Identifies potential grantees for area of program	impose sanctions
emphasis	Approves payments requests or ACH drawdowns
Makes initial determinations (whether project is	Reviews requests for modifications, additional
procurement or assistance, whether agency has	funding, etc., and makes recommendations to
legal authority, whether applicant is eligible,	Grants Management Office
whether funding is available, etc.)	Negotiates amendments
Provides administrative information to applicants	Reviews Cost/Price/Analysis for recipient
Determines appropriateness of applicant's	contracts/change orders (Superfund only)
workplan/activities/budget and compliance with	
	When necessary, recommends termination of the
regulations and guidelines and negotiates change	
with applicant	Resolves with Grants Management Office
Assists applicant in resolving issues in application	administrative and financial issues
For cooperative agreement, determines substantia	
Federal involvement and develops a condition for	with agreement
agreement	Other (list)
Negotiates level of funding	
Conducts site visits to evaluate program capability	
Serves as resource to Selection Panel	Certifies deliverables were satisfactory and timely
Informs applicants of funding decisions	Provides assistance to recipients and Grants
Other (list)	Management Office to ensure timely close-out
	Reconciles payment with work performed
ward:	Notifies recipient of close-out requirements
Prepares funding package, including Decision	Obtains legal assistance if necessary to resolve
Memorandum	incomplete close-out
Obtains concurrences/approvals	If project is audited, responds to issues and ensures
Reviews/concurs in completed document	recipient complies with audit recommendations
	Other (list)
Establishes project file	Other (list)
Other (list)	Description of Time Country Country (Conservation
	Percentage of Time Spent on Grants/Cooperative
roject Management/Administration:	Agreements Management
Monitors recipient's activities and progress	
Reviews reports and deliverables and notifies	0 %
recipient of comments	
Provides technical assistance to recipients	
art 3. Interagency Agreements Duties	
re-Agreement:	Monitors cost management and overall technical
Plans and negotiates work effort	performance
Estimates costs	Participates in decisions about project
Obtains funding commitments	modification/termination
Prepares commitment notice	Conducts periodic review of Superfund State
Writes or reviews scope of work	Contracts payments receipts (Superfund only)
Responds to pre-agreement inquiries	Inspects and accepts deliverables
Participates in pre-agreement conferences	Other (list)
Coordinates with appropriate staff in developing	Other (list)
	Close-out:
Independent Government Cost Estimates (IGEs)	
Negotiates and ensures execution of Superfund	Reviews final report
State Contracts (Superfund only)	Decides on disbursement of equipment
Performs technical evaluation of work plan and	Reconciles payments with work performed
budget	Reviews Superfund State Contracts to ensure full
Prepares funding package and obtains necessary	reimbursement (Superfund only)
concurrences	Certifies deliverables
Other (list)	Resolves close-out issues with Grants Management
	Office/other agency
	Other (list)
Project Management/Administration	
Project Management/Administration:	Percentage of Time Spent on Interagency Agreements
Project Management/Administration: Reviews progress reports/financial reports	Percentage of Time Spent on Interagency Agreements Management:

United States Environmental Protection Agency - POSITION DESCRIPTION COVERSHEET

1. DUTY LOCATION Boston, Massachusetts 2. POSITION NUMBER
39923

3. CLASSIFICATION AC	TION: a. Reference of Series and Date of Standards Us	ed to Classify this Posit	ion Parall	gal Spe 950, 819	ic senc	S,		
γ	b. Title		c. Service	d. Series	e. Grade	f. CLC		
Official Allocation			65	950	11	001		
4. SUPERVISOR'S RECOMMENDATION	Paralegal Speciali	st	GS	950	is .			
5. ORGANIZATIONAL 7	FITLE OF POSITION (if any)	6. NAME OF EMPL		River	Sontia	00		
7. ORGANIZATION (giv	e complete organizational breakdown)					<u> </u>		
a. U. S. ENVII	RONMENTAL PROTECTION AGENCY Region I	e.						
b. Office	of the Regional Counsel	ſ.						
c.		g.						
d.		h. EPAYS Organizat	tion Code	COO	∞			
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a. Typed Name and Title	of Immediate Supervisor	d. Typed Name and T	Title of Second-I	Level Supervis	or			
b. Signature	uty Regional Counsel c. Date 1/28/02	e. Signature			f. Date			
10. OFFICIAL CLASSIF	ICATION CERTIFICATION							
a This position has no promotion potential.	Lif position develops as planned and employee progress satisfactorily, this position has known promotion poten	es tial to grade: <u>//</u>	b. Fair Labor	Standards AcotExempt		ctional		
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11. REMARKS		/	/ /	LSA determina				

Statement of Differences for Target GS-11 Position EPA Region I

The target grade for this position is GS-11.

GS-9

GS-9 is an advanced trainee level, with some aspects of the work mastered and others still being learned. The knowledge requirement is less than at GS-11, and supervision is closer since the employee is not yet at a full-performance level of knowledge. Guidelines, complexity, and the scope and effect of the work are generally similar to those at GS-11, but personal contacts are not normally as difficult at the GS-9 level.

PARALEGAL GS-950-11

I. INTRODUCTION

This Paralegal position is located in the Office of Regional Counsel (ORC) of EPA Region I. The ORC reports to the Office of General Counsel (OGC) in EPA Headquarters. This position has three functions:

- (1) Serving as Regional Hearing Clerk (35-45% of the time);
- (2) Acting as paralegal for the ORC (40-60%);
- (3) Providing administrative functions for the ORC (5%).

II. MAJOR DUTIES AND RESPONSIBILITIES

A. Regional Hearing Clerk Functions

The Paralegal serves as the Regional Hearing Clerk (RHC). The RHC role is central to EPA's administrative enforcement. The workload and significance of the RHC position in Region I, which is a structural part of OGC, have grown enormously in recent years.

The RHC performs various significant legal support functions in formal Agency administrative proceedings under many statues and regulations. Many of these functions involve analysis and evaluation of legal and factual matters to determine compliance with regulatory requirements. The functions also require discretion and independent judgement in the application of specialized knowledge of EPA laws, regulations, program policies, and administrative enforcement practice.

Although not exhaustive, the following lists key functions of the RHC:

1. The Regional Hearing Clerk responds to inquiries from outside attorneys regarding: (a) how to comply with substantive requirements and regulatory procedures in administrative enforcement cases brought by EPA; and (b) the current status and possible outcomes of pending cases. This requires use of analytical and evaluative skills to judge the applicability of substantive and procedural requirements for administrative enforcement cases that the RHC handles under the various statues and programs. Familiarity with the legal requirements of 40 Code of Federal Regulations (CFR) Parts 22, 80, 114, 124 and 168 (the regulations on administrative enforcement) and with the general nature of the statutory programs is also required. \(^1\)

¹The matters arise under the Toxic Substances Control Act (TSCA), the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act (RCRA), the Federal Insecticide Fungicide, and Rodenticide Act (FIFRA), the Marine Protection, Research, and Sanctuaries Act (also known as the Ocean Dumping Act) (MPRSA), the Clean Air Act (CAA), the Federal Water Pollution Control Act (also known as the Clean Water Act) (CWA) (including NPDES permits under the CWA), and the Comprehensive Environmental Response, Compensation and Liability ACT (CERCLA) section.

labor relations law involving EPA employees. The Paralegal provides additional paralegal assistance on either office matters, including matters arising under federal environmental statues and including requests under FOIA or for certified EPA documents.

The Paralegal conducts legal research and gathers and analyzes factual information for specific discrete matters that may be assigned and supervised by the Regional Counsel or Deputy Regional Counsel, or ORC staff. S/he also is responsible for handling paralegal tasks (including but not limited to conducting legal research, gathering factual information, and communicating with outside parties as appropriate) on general categories of matters.

The position requires legal knowledge of particular laws, regulations, and agency policies.³ It also requires knowledge of EPA organization and policies. Much of this work, especially work in the General Law area, is highly sensitive and confidential, even within both EPA agency wide and within the Region requiring the exercise of discretion and good judgement.

- 1. Does research, analysis and fact findings concerning counseling matters arising under federal environmental laws.
- 2. Drafts legal documents and correspondence for particular counseling matters.

Although not exhaustive, the following lists key functions of the General Law Office Paralegal:

- 1. Manages ethics review of Confidential Financial Disclosure Reports (Reports) filed by Regional employees. Reviews Reports for completeness and otherwise assists senior attorneys in determining whether prohibited conflicts.
- 2. Manages ethics review of Regional employee requests for outside activities and for reimbursement for official travel by outside sources. Analyzes available precedents for permission to participate in such activities. Tracks approvals of outside activities. Recommends to senior attorney whether approval or denial letters should be signed (by Deputy Ethics Official for outside activities or by Designated Agency Alternate Ethics Official for outside travel).
- 3. Maintains ethics records on ORC advice both on specific matters and on general or recurring matters.
- 4. Analyzes and evaluates requests for certification of agency documents. Determines appropriate custodian of specific agency records. Prepares certificates of authenticity of official agency records.

C. ORC Administrative Functions

The incumbent provides miscellaneous administrative and program assistance to the Regional Counsel, Deputy Regional Counsel and staff attorneys. The function includes some typing of

³Including but not limited to the Ethics in Government Act, 18 U.S.C. §§ 201-209; the Standards of Ethical Conduct for Employees of the Federal Branch, 5 CFR Part 2635; Title 5; AFGE Master Collective Bargaining Agreement; the Freedom of Information Act, 5 U.S.C. § 552; and the Corresponding regulations under these statues.

documents, scheduling meetings, helping to maintain Regional Counsel and Deputy Regional Counsel calendars and correspondence.

The incumbent serves as an office resource by keeping abreast of on-going developments in law, policy and guidance and keeping files updated accordingly. S/he serves as mentor for junior legal support staff and student aids. S/he communicated and coordinates effectively with staff attorneys, managers and others. S/he identifies problems and issues and brings them to the attention of the Regional Counsel, Deputy Regional Counsel or ORC staff as appropriate with recommendations for solutions.

The incumbent drafts correspondence and legal papers for ORC attorneys to private attorneys, Region I and Headquarters personnel, and personnel in other government agencies on wide range of pending legal matters.

III. FACTOR EVALUATION SYSTEMS (FES) FACTORS

Factor 1-Knowledge Required by the Position

The employee must possess an understanding of applicable laws and programs related to the work of the Agency and an analytical ability to evaluate their relevance to a particular case. S/he must also have analytical, organizational, and communication skills that are sufficient to write well-organized memos and letters based on the voluminous files without supervision and to draft orders and/or other documents as needed under the supervision of an attorney.

The position requires knowledge and skill in problem analysis, fact-finding, writing, interpreting regulations and policies, and a practical understanding of the Agency's legal activities and environmental programs in order to draft memos, correspondence, pleadings, and ethics determinations. The employee must be able to apply legal concepts and to use legal research methods and reference materials (such as agency manuals, court records, or commercial legal publications) to locate relevant precedents.

Much of this knowledge can be acquired from on-the-job training.

Factor 2-Supervisory Controls

On RHC functions, the employee plans and carries out RHC activities, including interactions with professional legal staff of the Agency and with private attorneys, with very minimal supervision; the employee keeps the supervisor informed of actions involving controversial issues. On paralegal and administrative functions, the work is reviewed for technical and legal soundness of the end product; the employee and supervisor together develop priorities for the work and for the appropriate level of supervision.

Factor 3-Guidelines

The employee must use judgement, initiative, and resourcefulness in applying guidelines and precedents in non-routine fact situations for which guidelines and precedents cannot be routinely applied.

- 2. The RHC determines compliance by parties with legal requirements noted above based on the RHC's examination of case files to determine the sufficiency of evidence and pleadings.² The RHC contacts EPA attorneys and private party attorneys, if necessary, to discuss the steps they need to take to resolve failure to comply with requirements or to expedite settlements;
- 3. The RHC corresponds directly with EPA and private attorneys on miscellaneous matters on pending administrative proceedings, and acts as a liaison between Administrative Law Judges (ALJs) and the attorneys;
- 4. The RHC develops and refines automated computer systems and other administrative tracking systems. The RHC is the manager of the official agency docket for an increasing number of regional administrative enforcement cases, each of which has voluminous pleadings. The complexities posed by the number and variety of pleadings and correspondence require that the RHC set priorities and be efficient in completing the necessary tasks. This function also requires the RHC to exercise judgement and discretion in matters involving party and Agency Attorneys and EPA finance offices, and security of confidential files;
- 5. The RHC Responds to Freedom of Information Act (FOIA) requests for documents in RHC files. This function calls for legal and factual analysis of FOIA standards as applied to widely-varying facts situations and analysis of potential confidential business information (CBI) claims presented by each case. The RHC responds to questions from and meets with members of the public, including parties to enforcement cases, who come to EPA to review files under FOIA;
- 6. The RHC arranges for administrative enforcement hearings. This function calls for proper procurement and payment for commercial reporting services, tact in handling questions from private parties, and discretion in monitoring of settlement discussions for scheduling of hearings; and
- 7. The RHC maintains files of resolved Regional administrative cases, including copies of final Administrative Law Judges (ALJ) and Presiding Officer decisions. This function includes assembly and indexing of hearing record for transmittal to the Judicial Officer if there is an appeal. The RHC provides administrative support to the Region I Presiding Officer, including maintenance of a library of all nationwide Presiding Officer and ALJ decisions.

B. Paralegal Functions

The ORC Paralegal serves as a paralegal specialist providing legal support to the Regional Counsel Office. The Paralegal assists in providing legal advice on and in managing office activities on general law matters of ethics, conflicts of interests, employment, personnel and

²Under EPA Regulations, the RHC had the authority (along with the Regional Administrator, Environmental Appeals Board, and the Presiding Officer) to refuse to file documents submitted by EPA attorneys or private attorneys that do not comply with the regulations. See 40 CFR § 22.05 (c) (5).

Guidelines consist of applicable statues and regulations, national and regional guidance or other policy directives, judicial decisions and other precedents, many of which regularly change.

Factor 4—Complexity

Given the pressing nature and volume of RHC functions and the multiple assignments for the paralegal and administrative functions, the employee must set priorities, plan work carefully, and coordinate carefully with EPA attorneys in order to complete all the tasks. The work includes various duties involving different and unrelated laws and programs and requires a broad mix of skills. For example, dealing with phone and in-person questions from the public, reviewing employee fact patterns in light of ethics regulations to evaluate compliance with EPA conflict standards, etc. The time restrictions on juggling these functions makes proper time management a critical requirement. The volume of documents and information to be reviewed and filed for all the functions, but particularly the RHC function, is significant. The employee must also keep informed about regular changes in policies and guidance affecting the position's functions.

Factor 5-Scope and Effect

The position involves the evaluation and analysis of facts, including but not limited to technical and financial information as well as the conduct of legal research. The role requires reviewing case files and legal standards to make recommendations to the Regional Counsel, Deputy Regional Counsel, staff attorneys, and the Regional Presiding Judicial Officer regarding resolution of both substantive and procedural issues in legal matters pending in the Office of Regional Counsel. The work product directly affects EPA's ability to meet enforcement targets that are reported to Headquarters and Congress, and is a direct service to the public.

Factor 6-Personal Contacts

Personal contacts with private attorneys in unstructured meetings and telephone calls is a constant factor for the position. The employee works closely with the Regional Counsel, Deputy Regional Counsel and staff attorneys as a team. There are significant interactions with other regional staff as the independent and neutral Regional Hearing Clerk. The incumbent had regular contact with Headquarters, the Department of Justice, Federal Labor Relations Authority, Merit Systems Protection Board, the general public and attorneys and paralegals representing parties adverse to EPA.

Factor 7- Purpose of Contacts

The employee must frequently convince outside attorneys and EPA attorneys of the need for amendments to filings; this frequently involves having to persuade skeptical, uncooperative, or demanding attorney of the need to take certain steps. Contact within the Region is for the purpose of acquiring necessary factual information concerning ongoing activities. Contact with Headquarters is to gather general and specific information on cases, policies, and regulations. Contact with attorney and paralegals representing adverse parties and with the public is to gather information necessary to resolve legal matters.

Factor 8 – Physical Demands

Work is generally sedentary requiring the ordinary physical activity demanded of an office.

Factor 9 - Work Environment

Work is performed in close proximity with co-workers as in a typical office environment. Visits sometimes have to be made to a courthouse, library, or other places away from the usual work station.

(January 2002)

United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET 3. CLASSIFICATION ACTION: a. Reference of Series and Date of Standards Used		Т	1. DUTY LOCATION Boston, MA 2. POSITION NUMBER N095011				R
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STATEMENT OF DIFFERENCE GS-9

(2 grade interval series)

This is a statement of difference to the full performance position identified on the cover sheet. The incumbent of this position will function at the GS-9 level until all legal, regulatory and administrative requirements which permit assigning GS-11 performance level duties and responsibilities are met. Promotion to the GS-11 level is neither mandatory nor automatic upon completion of these requirements. Management retains the right to determine when the incumbent is qualified for the next higher grade. The following amendments to the next higher level position apply:

At the GS-9 grade level, incumbent will serve as an advanced trainee for all duties and responsibilities described in the next higher level position. The incumbent reports to the supervisor who assigns work stating clear objectives and assuring for soundness of technical judgment and completeness of assignment. Personal work contacts are with persons within the division and other government agencies for the purpose of exchanging technical information.

PARALEGAL SPECIALIST GS-0950-11

INTRODUCTION

This paralegal specialist position is located in the Office of Regional Counsel (ORC or Office), EPA Region I. The position reports to the Deputy Regional Counsel (DRC).

The incumbent is instrumental in the development, coordination, organization and processing of Freedom of Information Act (FOIA) and eDiscovery requests and proceedings. The incumbent is also instrumental in the development, preparation, defense and settlement of civil cases brought against EPA under EPA's regulatory programs, including cases under the Clean Air Act, Clean Water Act, Toxics Substances Control Act, Federal Insecticide, Fungicide and Rodenticide Act, Safe Drinking Water Act, Marine Protection, Research and Sanctuaries Act, National Environmental Policy Act, Oil Pollution Act, other federal environmental laws, Indian Law, and general federal laws dealing with personnel, ethics, civil rights, grants and appropriations. The incumbent is also responsible for implementing administrative processes and electronic systems within the Office, including FOIA, eDiscovery, travel, budget and time-keeping systems. The incumbent is required to coordinate with a full range of program areas, including the program offices, EPA Headquarters, the Department of Justice and as necessary, the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission, as well as the ability to manage information in databases, record management systems, and other electronic formats.

I. MAJOR DUTIES AND RESPONSIBILITIES

A. Paralegal Support Duties 40%

- 1. Assists the regional staff attorneys in preparation for administrative and civil litigation, including drafting correspondence, drafting litigation reports consistent with guidance, preparation of discovery documents, administrative records, pleadings, affidavits, motions to dismiss, motions for summary judgment and other documents. In so doing, the incumbent selects, summarizes, compares, interprets and compiles data, information, and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Conducts legal research on a variety of legal issues and provides statutory interpretation by researching statutes, legislative history, policy and guidance. Prepares legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search.
- 2. Under the direction of a regional staff attorney, assists in the preparation of administrative actions under regulatory programs, including drafting correspondence and legal documents; preparing administrative records; and supporting negotiations.
- 3. Provides investigative or technical support in civil matters. Investigates facts concerning the defense of EPA's actions under federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilizes sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, and information-gathering techniques. Directly interviews fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit.

- 4. Prepares for, attends and participates in conferences with industry representatives, state, local, or tribal officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with federal judges or magistrates or EPA Administrative Law Judges, and meetings related to cases such as public meetings. Attends and assists in managing exhibits and other materials at trail or hearing. Prepares reports and charts and provide information requested on ORC activities in both narrative and statistical formats such as citizen suit tracking charts.
- 5. Reviews reported case law. Selects and analyzes decisions, opinions, memoranda and other pertinent legal materials related to environmental law to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.

B. FOIA and eDiscovery Duties 50%

- 1. Responsible for coordinating and managing responses to FOIA requests as part of a Regional FOIA Team. Coordinates, tracks and processes FOIA requests while adhering to the procedures specified under FOIA and Agency guidance. Serves as point of contact in communicating with requesters. Contacts and coordinates with Regional FOIA Team, other ORC personnel, program personnel, and Office of General Counsel (OGC) and Office of Environmental Information (OEI) personnel, as appropriate. Oversees and uses agency electronic systems for processing FOIA requests and conducting document collection, including FOIAOnline, Relativity, Adobe Pro, and Office 365 systems. Performs search, analysis, evaluation, review and coding of documents. Performs analysis and evaluation and prepares reports on regional FOIA workflow. Keeps abreast of FOIA law, regulations, judicial precedents, Agency FOIA practices and Information Technology tools. Participates on national FOIA workgroups and communicates workgroup activities to others in ORC.
- 2. Oversees and uses complex electronic discovery and records processing databases and IT tools (e.g. Relativity, Adobe Pro, Office 365, etc.) and trains ORC attorneys and other regional staff on the use of these tools. Participates on national discovery workgroups and communicates workgroup activities to others in ORC. Conducts legal research and stays up to date on current case law and agency practices regarding civil discovery. Coordinates responses to discovery requests and serves as a point of contact for the collection, processing, review, and production phases of discovery. Helps prepare privilege logs and supporting affidavits.
- 3. Organizes and maintains files for complex cases. Obtains and reviews reports, correspondence and court documents. Evaluates and initiates comprehensive file management which allows for quick document retrieval. Coordinates with technical staff, contractors and others to obtain documents necessary for a current and accurate file system. Manages the ORC records system, including maintaining databases for ORC records, handling archiving and storage in federal record repositories, including the Regional Records Center, and coordinating retrieval of records.

C. Administrative Support Duties 10%

1. As needed, assists with all administrative processes and electronic systems (e.g. PeoplePlus, CONCUR, HR line of Business, correspondence tracking, periodic on-line training requirements, etc.). Acts as resource for administrative and professional staff to ensure timely, accurate and efficient use of these systems. Participates in the efficient operation of daily business of the Office, including ensuring

the efficient flow of the Office's incoming and outgoing mail operations. Assists with preparation, planning and facilitation of meetings and work sessions. Helps plan, coordinate, procure space and develop required materials for public meetings, hearings, conference and national and Regional meetings. Facilitates communication between Regional programs and state and national programs.

2. Performs other duties as assigned.

FACTOR 1. KNOWLEDGE REQUIRED

LEVEL 1-7 1250 POINTS

Knowledge of civil provisions of environmental protection statutes and an extensive working knowledge of the program aspects of the statues and regulations administered by ORC's clients and various actions utilized to implement them.

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential defensive cases, FOIA responses, and eDiscovery.

Legal skills and proficiency sufficient to perform extensive and thorough legal research into the legislative history, precedent cases, decisions, and opinions that may be applicable to particular legal matters.

Legal skills and proficiency sufficient to investigate and become thoroughly familiar with subject matter details involved in a case or legal matter; determine the specific data needed and best approach to obtain this data or to determine relevance or sufficiency of available legal and technical or other related data.

Well-grounded knowledge of the Agency's mission and the skill to interpret and apply the federal environmental statutes and the Agency's policies, regulations, objectives and guidance as they relate to the defense of administrative and judicial actions.

A general knowledge of business principles and techniques, including information technology tools, and ability to apply them in analyzing voluminous, complex and often incomplete records.

Ability to use Lexis, Relativity, Adobe Pro, and other computer assisted legal research, records management and eDiscovery and FOIA management tools as well as traditional law library case books, reporters and trade publications.

Skill in oral and written communication, to prepare reports, memoranda and affidavits; to consult with and document communications with agency personnel and FOIA requesters, all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

FACTOR 2. SUPERVISORY CONTROLS

LEVELS 2-4 450 POINTS

The employee works under the general supervision of the Regional Counsel and reports directly to the Deputy Regional Counsel, who together define the Immediate Office's objectives, priorities, and deadlines for projects or assignments and assists the employee with unusual situations, problems, or projects that do not have clear precedents. The employee plans and carries out responsibilities independently and assignments are performed with broad latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence,

and resolving discrepancies. Incumbent works with minimal supervision from case attorney and under pressure of court imposed time constraints.

FACTOR 3. GUIDELINES

LEVEL 3-4 275 POINTS

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations, many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered. Incumbent plans, directs, advises and coordinates assigned activities within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations may vary from the guidelines and incumbent must use specialized knowledge of law and regulations, and previous experience.

FACTOR 4. COMPLEXITY

LEVEL 4-4 225 POINTS

The work is complex and requires the ability to adapt readily to new or changing procedures and technologies, and requires the incumbent to keep abreast of new case law, regulations and changing agency policies. The duties require the ability to interpret, research and apply case law, regulations, and policy to issues and cases assigned. Changes in the law and/or policy, or technologies, require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as administrative record indices and certifications, FOIA responses, eDiscovery notices, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences and hearings is also required. The ability to work under pressure of tight time constraints is required.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, litigation, FOIA, and eDiscovery. Often the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines.

The work includes various duties requiring different and unrelated processes and methods applied to a broad range of activities or substantial depth of analysis typical for an administrative or professional field. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technological developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development or other activities. Duties may require the reconstruction of events from circumstantial evidence.

FACTOR 5. SCOPE AND EFFECT

LEVEL 5-3 150 POINTS

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Office of Regional Counsel. Incumbent serves as the focal point of paralegal expertise and assists in the preparation and response to civil discovery and FOIA requests and in the development of environmental cases defending the Agency's actions under the federal environmental laws, Indian Law, FOIA and other general federal laws.

Defensive litigation is complex and can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial, commercial and state, local and tribal concerns, and the operation of other departments or agencies in federal, state, local, and tribal governments.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development. The work includes extensive coordination between and among multiple offices within the Agency and the Department of Justice.

Incumbent works independently on a wide variety of information gathering activities apart from defense related matters that frees the attorneys from these tasks. This allows the attorneys to develop cases and provide advice to clients with greater efficiency.

FACTOR 6. PERSONAL CONTACTS

LEVEL 6-3 60 POINTS

Personal contacts through oral and written communication are at all levels in the legal community, up to the highest level. Such contacts include meeting with other employees of the Regional office, other EPA regional offices, EPA Headquarters, the Department of Justice, state, local and tribal governments and the regulated community. Contacts with the public or regulated community may include FOIA requesters, private citizens, representatives of non-governmental organizations, corporate managers of environmental departments, corporate attorneys or paralegals, attorneys in the private bar and other professionals who represent the regulated community. On occasion, personal contacts may also include staff of Congressional members and staff of elected representatives of state, local and tribal governments.

FACTOR 7. PURPOSE OF CONTACTS

LEVEL 7-3 110 POINTS

The primary purpose of contacts with the public and regulated community will be to influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development, and to communicate regarding processing of FOIA requests. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial proceedings. The principal purpose of contact with representatives of federal, state, local and tribal government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests. Tact and diplomacy must be applied to influence uncooperative and skeptical persons and respondents who are often unfamiliar with the rules and regulations governing Agency policy.

ABOUT

INSURANCE POLICY

RETIREMENT

SUITABILITY

AGENCY SERVICES

NEWS

OPM.gov Main >

IN THIS SECTION

Position Designation Record

Environmental Protection Agency Agency

Position Title Paralegal Specialist

Series and Grade/Pay Band GS-0950-11 **Position Description Number** N095011 Designator's Name & Title John Ellsworth

Potential for Compromise or Damage

Duties	Degree of Potential for Compromise or Damage
Protection of personal, private, controlled unclassified, or proprietary information-with the potential to damage the public's trust (includes access to or processing of personal information such as hat protected by the Privacy Act (PA) of 1974, exempt from disclosure under the Freedom of Information Act (FOIA), financial data, or privileged information involving the award of contracts, contractor proprietary information, etc.)	Access and control over personal, private, proprietary, or controlled unclassified information, the unauthorized disclosure of which could negatively impact he public's trust, through serious damage/harm to: The integrity or efficiency of the service Individuals or business entities Government programs or operations impacting he public's trust
Government service delivery, including customer service or public liaison duties	Duties involve customer service responsibili ies and/or public liaison that could cause limited damage to individuals, business entities, or government programs or operations

Adjustment for Program Designation and Level of Supervision

Adjustments	Label
Adjustment for Scope of Program and Correlation to Extent of Impact (see definitions)	Agency impact
Adjustment for level of supervision or other controls	Periodic, ongoing review - ability to act independently a lot of the time

Total Points Designation

Label	Points
Total Initial Position Designation Points from Step 2	16
Adjusted Position Designation Points from Step 3	6

Investigation	Form Required
T1	SF 85

Sensitivity	Risk Level

Non-Sensitive Low Risk

Jy Elloword

John Ellsworth



U.S. OFFICE OF PERSONNEL MANAGEMENT

1900 E Street, NW, Washington, DC 20415 202-606-1800 Federal Relay Service 🛂

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Sustainability Recovery Act **FOIA** Information Management No Fear Act

8/9/18

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Policy

United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET

1. DUTY LOCATION Boston, MA

2. POSITION NUMBER

LASSIFICATION AC	TION: a. Reference of Series ar	nd Date of Standards Us	ed to Classify this Posit	ion 65-9	50 (1	386)	
	b. Title		c. Service	d. Series	e. Grade	f. CLC	
Official Allocation			LIST	GS	0950	12	001
4. SUPERVISOR'S RECOMMENDATION							
5. ORGANIZATIONAL T	TTLE OF POSITION (if any) U.S	S. EPA	6. NAME OF EMPL	OYEE Boud	rot, Diane l	М.	
7. ORGANIZATION (give	complete organizational breakd	own)					
a. U. S. ENVIR	RONMENTAL PROTECTION A	GENCY	e.				
b. Region I			f. SUPERF	UND (SES)			
c. Office	of Environmental Stewardsh	ip	g.				8:
d. LEGAL			h. EPAYS Organizat	ion Code	QBBA C	0000	
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b. Signature	lem	c. Date	e. Signature	, Dilver	200	f. Date	-02
10. OFFICIĄL CLASSIFI	CATION CERTIFICATION						
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rrgaining e. Chec at Code □ Med (b) (6) □ Extr	k, if applicable: lical Monitoring Required ramural Resources Management s position is subject to random dr		f. Signature	M.O.	Bue	g. Date	/

PARALEGAL GS-950-12

INTRODUCTION:

This position is located in the Superfund Legal Office, Office of Environmental Stewardship, EPA, Region I. The Superfund Legal Office interacts frequently with other offices within the Office of Environmental Stewardship, EPA Headquarters, the Department of Justice, and with other federal, state and local agencies. The work performed in this position is related to enforcement and other activities of the Superfund Legal Office under the major environmental statutes administered by EPA. As a paralegal specialist in the Superfund Legal Office, the incumbent assists in the evaluation, development, negotiation, and litigation of judicial and administrative cases and other legal functions under these statutes. The position requires specialized legal knowledge of particular laws, regulations, precedents, policies and procedures.

I. MAJOR DUTIES AND RESPONSIBILITIES:

- A. Gathers and develops information on potentially responsible parties (PRPs) through telephone calls, letters, conferences, information requests, corporate history research, and researching appropriate state agencies and libraries.
- B. Requests and receives factual material from program/technical staff and assists the attorney in the legal evaluation of the evidence supporting the program's conclusion. Incumbent prepares draft legal evaluations, as appropriate.
- C. Collects, prepares, and organizes evidence for settlement conferences, depositions, administrative examinations, or trials, attends and participates in meetings and settlement conferences, evaluates the proceedings and, if requested, prepares a synopsis. The incumbent consults with case attorney and suggests appropriate paralegal follow-up tasks resulting from the conference, meeting, or trial.
- D. Performs case screening procedures, conducts case development activities, and prepares draft legal documents; i.e., administrative penalty orders, consent agreements, information requests letters, pre-referral packages, litigation reports, consent decrees, or other necessary enforcement related documents, as appropriate. Incumbent must coordinate these tasks with the case attorney, EPA technical staff, EPA Headquarters, the Department of Justice, and when appropriate, the state technical and legal staff.
- E. Organizes files and performs litigation related tasks; e.g., document production or privilege review as appropriate.
- F. Conducts legal research on a variety of legal issues encountered in environmental work. Incumbent researches precedents, statutes, legislative history, regulations,

 legal cases, and governing policy using the standard techniques and methods of legal research. Incumbent then prepares appropriate legal memoranda or other appropriate summary/recommendations to support conclusions reached in a format appropriate to the circumstances.

- G. Routinely reviews policy statements, guidance documents, court opinions, and other pertinent legal materials related to the Office. Due to frequent daily changes in the regulations and case law, it is necessary that the incumbent keeps abreast of and understands court decisions and guidance documents. To the extent possible, takes initiative to notify case attorneys of new information pertinent to current issues in cases.
- H. Assists in maintenance of Agency data and docket system.
- I. Other paralegal duties as assigned.

Factor 1 - KNOWLEDGE REQUIRED BY THE POSITION

The duties of the incumbent require in-depth knowledge of environmental statutes and Agency regulations and court and administrative decisions, interpretations, rules, regulations, policies and procedures, and legal-research software systems like LEXIS and WESTLAW. These highly developed and specialized legal skills are proficient to:

- analyze and evaluate technical evidence for relevance;
- perform extensive and thorough legal research into legislative history, precedent cases, decisions, and opinions;
- comprehend the technical and legal implications of enforcement actions;
- investigate and become thoroughly familiar with subject matter details involved in a site or legal matter; determine the specific data needed and the best approach to obtain this data or determine the relevance or sufficiency of available legal, technical, or other related data;
- coordinate actions with other Federal or State agencies as necessary;
- perform similar functions requiring highly developed and specialized program knowledge acquired through extended experience.

Factor 2 - SUPERVISORY CONTROLS

The Case Attorney, Team Leader or first-line supervisor assigns work and gives general instructions, defines objectives and deadlines, and sets priorities. Through her/his own initiative,

the incumbent independently plans and completes the work. The methods, approaches, problem solving, and other related functions of the project are independently performed by the incumbent. The incumbent uses ingenuity to anticipate case requirements, gather supporting evidence, resolve conflicting statements, or search for corroborating or contravening precedents. The work is reviewed for accomplishing assignment objectives, agency policy, and soundness of the decisions or conclusions. The process by which the decisions or conclusions were reached is not evaluated.

Factor 3 - GUIDELINES

Guidelines consist of applicable legislation and regulations, Headquarters policy and directives, memoranda of understanding between EPA and other federal agencies, court and administrative decisions, agency directives, policies, and regional procedures as well as policies governing statutes and other promulgated regulations, many of which constantly change. Commercial legal publications, electronic legal research materials, headquarters guidance and policy, and other pertinent reference and regulatory materials are used to ascertain applicable standards and procedures. These guidelines are stated in very general terms or may apply only indirectly or in part to the problem in question. Incumbent is required to extract appropriate legal references from several guidelines and apply them to the case at issue or to derive applicable standards by extension of existing precedent.

Factor 4 - COMPLEXITY

The work is diverse and complex and requires the ability to adapt readily to new or changing procedures, fact situations, new case law, regulations and policies in all stages of case development. The work requires the incumbent to have authoritative knowledge of complex, specialized areas of the law. Cases generally involve complex factual situations and, at times, multiple parties. The incumbent often must reconcile conflicting facts, identify and elicit additional information, and make a number of decisions at various stages such as identifying issues, defining the problem, and determining what needs to be done to accomplish successfully the goals of the agency and the particular case. The incumbent also must interpret considerable data, and weigh the facts in order to formulate a legally and factually supportable position, often on unusually complicated legal matters. The incumbent must have the ability to draft various complex legal documents, such as pre-referral reports and litigation reports, pleadings, potential questions for depositions, and information request letters, as well as Administrative Penalty Orders, Consent Agreements and Consent Decrees. The ability to prepare for and participate in settlement conferences, conferences with DOJ, Headquarters, or States, and depositions and hearings, is also required.

Factor 5 - SCOPE AND EFFECT

The purpose of the position is to provide legal case development work which includes conducting legal research (including research of unsettled issues), analysis of data, preparation of legal documents, reviewing case law and making recommendations for resolution of legal cases and issues and for proposed Agency positions on other matters. The work involves developing

strategies for handling large and complex legal assignments which vary from case to case. The work affects the effectiveness and efficiency of this office, assists in our objective of environmental protection and compliance with environmental requirements, and enables OES to initiate, maintain and resolve environmental cases. The work also enables the legal office to serve the public by obtaining agreements from PRPs to perform or pay for cleanups at Superfund sites or by instituting litigation to obtain the same results. The incumbent must be able to work under pressure caused by short deadlines, and multiple assignments.

Factor 6 - PERSONAL CONTACTS

Works closely with the Office and other OES staff, as well as Regional personnel; also has contact (which often may be in unstructured situations) with Headquarters, Department of Justice, U.S. Attorneys offices, officials of state and local governments, judicial officers, adverse parties, attorneys and paralegals representing adverse parties, and the general public.

Factor 7 - PURPOSE OF CONTACTS

Contact within the Region is for the purpose of acquiring necessary technical, factual, and compliance information concerning ongoing activities and case development. Contact with Headquarters is to gather general and specific information on cases, policy, regulations and litigation matters. Contact with the Department of Justice, U.S. Attorneys office, state and municipal personnel, and judicial officers relates to general and specific cases and general litigation matters. Contact with adverse parties, with the attorneys and paralegals representing adverse parties, and with the public is to gather information necessary to negotiate and settle cases informally. Many of the contacts with adverse parties and their representatives have a strong adversary nature, since those entities are often angry over their involvement in an enforcement matter. All of these contacts may be for the purpose of obtaining or relaying critical information; to resolve technical problems; and, to determine and coordinate a course of action. Good communication skills, as well as tact and diplomacy, must be applied in all circumstances.

Factor 8 - PHYSICAL DEMANDS

Work is generally sedentary requiring the ordinary physical activity demanded of an office. However, there is a recurring requirement for lifting moderately heavy items such as boxes of records.

Factor 9 - WORK ENVIRONMENT

Work is performed in close proximity with co-workers as in a typical work environment. Visits sometimes have to be made to the courthouse, library, Registry of Deeds, or other places away from the usual work station. Infrequent travel by commercial means is required.

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PARALEGAL SPECIALIST GS-950-12

INTRODUCTION

As a senior paralegal specialist in the New York/Caribbean or New Jersey Superfund Branch (the "Branch") in the Office of Regional Counsel (ORC), the incumbent assists in the preparation of cases pertaining specifically to the CERCLA statute, while having general knowledge of other statutes, regulations, and rules relevant to the work of the Office, including RCRA, the Freedom of Information Act (FOIA), and the Federal Rules of Civil Procedure. The incumbent is required to coordinate with a full range of program areas including the Emergency and Remedial Response Division ("ERRD"), the Environmental Services Division, the Department of Justice, EPA Headquarters Office of Enforcement and Compliance Assurance ("OECA") the Office of Waste Programs Enforcement, and United States Attorneys' Offices. The incumbent assists with or manages special technical and legal projects as assigned. The duties of this position require the application of a specialized knowledge of laws, regulations, agency policies, and judicial and administrative proceedings to multiple aspects of the Agency's substantive mission.

MAJOR DUTIES

- Under the direction of a regional attorney, the incumbent conducts, on the most complex cases, legal and factual research and collection of information; and analysis and evaluation of evidentiary materials, particularly in connection with the evaluation of the potential liability of parties under CERCLA. Such activities include searching for legal precedents in indices and computerized legal reference systems and analyzing their applicability as appropriate. She or he prepares appropriate legal and factual memoranda using standard legal analysis and citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case; incumbent makes recommendations as appropriate concerning the matter at issue. The findings are closely coordinated with and communicated to the regional attorney, program staff, DOJ, NEIC, and other personnel as appropriate. The incumbent must initiate research for supportive material on his or her own initiative from a variety of sources.
- 2. The incumbent assists regional attorneys in discovery including the preparation of pleadings and other documents for civil litigation and other actions. In so doing, the incumbent

selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case.

- 3. The incumbent prepares legal documents for administrative and judicial actions, such as administrative orders, information request letters, pre-referral packages, litigation reports, and other necessary enforcement related documents. The incumbent must coordinate the preparation of these documents with regional legal and technical staff. This coordination consists of discussions with both the attorney and the program staff, and examination and evaluation of information obtained orally and in record and file reviews.
- 4. The incumbent organizes and maintains case files that are used by attorneys and other enforcement personnel including obtaining, gathering, and reviewing records, reports, correspondence, and court documents. He or she evaluates and initiates a comprehensive file system which allows for quick document retrieval. She or he coordinates with attorneys, technical staff, contractors, courts, and others to obtain documents necessary for a current and accurate file system. He or she will coordinate the implementation and oversee the maintenance, by the various ORC Branches, of the ORC standardized filing system.
- 5. The incumbent assists ORC and other enforcement personnel in complex financial investigations involving fraudulent conveyances, tracing of assets, and interrelated business entities. She or he investigates numerous sources to affect a comprehensive search of the corporate structures involved in the case. He or she initiates contact with bankruptcy courts, financial investigators, and other appropriate persons to verify information.
- 6. The incumbent routinely reviews policy statements, guidance documents, court opinions, and other pertinent legal materials related to the Office. Due to frequent and continual changes in the regulations and case law, the incumbent must keep abreast of and understand court decisions and guidance documents. To the extent possible, the incumbent takes initiative to notify case attorneys of new information pertinent to current issues in cases.
- 7. The incumbent assists ORC in developing and implementing training for paralegals and legal assistants within the Region and acts as resource contact and mentor for paralegals. He or she maintains contact with other EPA paralegals through networking and a formalized workgroup structure.

FACTOR 1: KNOWLEDGE REQUIRED BY THE POSITION Level 1-7, 1250 points

The duties of the incumbent require an in depth knowledge of CERCLA, the National Contingency Plan (NCP), and court decisions, interpretations, rules, regulations, policies, and procedures pertaining to CERCLA and other statutes, regulations, and rules relevant to the work of the Office. These highly developed and specialized legal skills are sufficient to:

- analyze and evaluate technical evidence for relevance;
- perform extensive and thorough legal research into legislative history, precedential cases, decisions, and opinions;
- comprehend the technical and legal implications of the enforcement actions;
- investigate and become thoroughly familiar with the details involved in a site or legal matter;
- determine the specific data needed and the best approach to obtain this data or determine the relevance or sufficiency of available legal, technical, or other related data;
- coordinate actions with other Federal or State agencies as necessary; and
- perform similar functions requiring specialized program knowledge acquired through extended experience.

FACTOR 2: SUPERVISORY CONTROLS Level 2-4, 450 points

The case attorney or first-line supervisor assigns work and gives general instructions, defines objectives and deadlines, and sets priorities. Through her/his own initiative, the actual accomplishment of the work is planned and completed independently by the incumbent. The methods, approaches, problem solving, and other related functions of the project are independently selected and performed by the incumbent. The incumbent uses ingenuity to anticipate case requirements, gather supporting evidence, resolve conflicting statements, or search for corroborating or contravening precedents. The work is reviewed for accomplishment of assignment objectives, agency policy, and soundness of the decisions or conclusions. The process by which the decisions or conclusions were reached is not evaluated.

FACTOR 3:

GUIDELINES Level 3-4, 450 points

Guidelines consist of applicable federal and state legislation and regulations, Headquarters policy and directives, memoranda of understanding between EPA and other federal agencies, court decisions, agency directives, policies, and regional procedures as well as policies governing statutes and other promulgated regulations, many of which constantly change and thus require the incumbent to exercise both initiative and resourcefulness in their interpretation. Commercial legal publications, electronic legal research, Headquarters guidance and policy, and other pertinent reference and regulatory materials are used to ascertain applicable standards and procedures. These guidelines are stated in very general terms or may apply only indirectly or in part to the problem in question. The incumbent is required to extract appropriate legal references from several guidelines and apply them to the case at issue or to derive applicable standards by extension of existing precedents, which may be ambiguous or apparently in conflict.

FACTOR 4:

COMPLEXITY Level 4-4, 225 points

The work requires the incumbent to have authoritative knowledge of complex, specialized areas of the law such as liability under CERCLA and the liabilities associated with complex corporate structures and conveyances. It requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations, and policies. The duties require the ability to interpret, research, and apply case law and agency and other regulations to cases in question. Unanticipated changes in the law and Agency policy require the incumbent to be perceptive, flexible, and innovative. requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous documentation gathered from many sources. The incumbent drafts various legal documents, such as potential questions for interrogatories, portions of pre-referral packages, litigation reports, and settlement analyses, and prepares comprehensive memoranda on legal or factual issues such as liability which serve as the basis of regulatory, administrative or other legal The ability arguments, positions, interpretations, or opinions. to prepare for and participate in settlement conferences, conferences with DOJ, Headquarters, or States, and depositions and hearings, is also required.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency and the particular case. The work involves identifying the crucial themes and arguments on which the case or matter will be based (such as the theory of

liability) and developing a process to marshal law and fact to assist the case attorney in building the case. The work involves understanding the often subtle interrelationships of various goals, policies, and information whose interrelationship may appear tenuous. The incumbent interprets and evaluates disparate information gathered from a variety of sources. She or he also utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation, and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena, or conflicting requirements. The incumbent collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete, tenuous, or conflicting information. The incumbent designs and implements appropriate methods to communicate the results of quantitative and qualitative legal and factual analyses to attorneys and other users. The work often involves cases which may require several years of ongoing case development activities. Duties require the reconstruction of events from circumstantial evidence.

FACTOR 5: SCOPE AND EFFECT Level 5-4, 225 points

The work performed affects the efficiency of the Branch in particular, and ORC in general. The position provides a specialist to assist in the development of environmental cases pursuant to CERCLA, and to the extent relevant, other environmental statutes. The purpose of this work is, in conjunction with the case attorney, to plan, review, negotiate, and recommend decisions on enforcement cases, thereby freeing the attorneys to perform other legal work, and to supplement the attorneys' efforts in other ways. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency. The work of the incumbent is essential to case development.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. These assignments often require the application of specialized knowledge not generally available in ORC, such as knowledge relevant to the development of cases involving complex corporate relationships. The incumbent advises attorneys, other paralegal specialists or professional staff, and program staff on

interpretation of findings and highly specialized problems of case development.

The work involves establishing criteria, formulating projects, or investigating or analyzing a variety of unusual conditions, problems or questions. The work involves complex legal or technical conditions, problems, or questions. The work also involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of individuals and businesses. The work product or service affects a wide range of Agency activities, and major activities of industrial and municipal concerns and may provide the foundation for precedents that affect aspects of agency-wide programs or activities of a regulated industry.

FACTOR 6: PERSONAL CONTACT
Level 6-3, 60 points

Works closely with the Branch and ORC staff, as well as other Regional personnel. The incumbent also has contact with Headquarters, the Department of Justice, U.S. Attorneys' offices, officials of state and local governments, judicial officers, attorneys and paralegals representing adverse parties, and the general public.

FACTOR 7: PURPOSE OF CONTACTS
Level 7-3, 120 points

Contacts are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists, including those of private industry and headquarters. Good communication skills, as well as tact and diplomacy must be applied in all circumstances.

FACTOR 8:

PHYSICAL DEMANDS Level 8-2, 20 points

Work is usually done in an office setting but periodically requires work in field locations such as document warehouses or repositories and opposing counsels' offices. There is a recurring requirement for gathering, lifting, and carrying moderately heavy items such as boxes of records.

FACTOR 9:

WORK ENVIRONMENT Level 9-1, 5 points

Work is performed in close proximity with co-workers as in a typical work environment. Visits sometimes have to be made to the courthouse, library, Registry of Deeds, document warehouses, or other places away from the usual work station. Infrequent travel by commercial means is required.

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	Sition Description EPA REGION II, NY		Y	20-234			
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EPA Form 3150-1 (Rev. 2-87) Replaces EPA Form 3150-25 and previous editions of EPA Form 3150-1, all of which are obsolets.





#### PARALEGAL SPECIALIST GS-950-12

### INTRODUCTION

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### MAJOR DUTIES

- Under the direction of a regional attorney, the incumbent conducts, on the most complex cases, legal and factual research and collection of information; and analysis and evaluation of evidentiary materials, particularly in connection with the evaluation of the potential liability of parties under CERCLA. Such activities, include searching for legal precedents in indices and computerized legal reference systems and analyzing She or he prepares their applicability as appropriate. appropriate legal and factual memoranda using standard legal analysis and citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case; incumbent makes recommendations as appropriate concerning the matter at issue. The findings are closely coordinated with and communicated to the regional attorney, program staff, DOJ, NEIC, and other personnel as appropriate. The incumbent must initiate research for supportive material on his or her own initiative from a variety of sources,
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- 3. The incumbent prepares legal documents for administrative and judicial actions, such as administrative orders, information request letters, pre-referral packages, litigation reports, and other necessary enforcement related documents. The incumbent must coordinate the preparation of these documents with regional legal and technical staff. This coordination consists of discussions with both the attorney and the program staff, and examination and evaluation of information obtained orally and in record and file reviews.
- 4. The incumbent organizes and maintains case files that are used by attorneys and other enforcement personnel including obtaining, gathering, and reviewing records, reports, correspondence, and court documents. He or she evaluates and initiates a comprehensive file system which allows for quick document retrieval. She or he coordinates with attorneys, technical staff, contractors, courts, and others to obtain documents necessary for a current and accurate file system. He or she will coordinate the implementation and oversee the maintenance, by the various ORC Branches, of the ORC standardized filing system.
- 5. The incumbent assists ORC and other enforcement personnel in complex financial investigations involving fraudulent conveyances, tracing of assets, and interrelated business entities. She or he investigates numerous sources to affect a comprehensive search of the corporate structures involved in the case. He or she initiates contact with bankruptcy courts, financial investigators, and other appropriate persons to verify information.
- 6. The incumbent routinely reviews policy statements, guidance documents, court opinions, and other pertinent legal materials related to the Office. Due to frequent and continual changes in the regulations and case law, the incumbent must keep abreast of and understand court decisions and guidance documents. To the extent possible, the incumbent takes initiative to notify case attorneys of new information pertinent to current issues in cases.
- 7. The incumbent assists ORC in developing and implementing training for paralegals and legal assistants within the Region and acts as resource contact and mentor for paralegals. He or she maintains contact with other EPA paralegals through networking and a formalized workgroup structure.

# KNOWLEDGE REQUIRED BY THE POSITION Level 1-7, 1250 points

FACTOR 1:

The duties of the incumbent require an in depth knowledge of CERCLA, the National Contingency Plan (NCP), and court decisions, interpretations, rules, regulations, policies, and procedures pertaining to CERCLA and other statutes, regulations, and rules relevant to the work of the Office. These highly developed and specialized legal skills are sufficient to:

- analyze and evaluate technical evidence for relevance;
- perform extensive and thorough legal research into legislative history, precedential cases, decisions, and opinions;
- comprehend the technical and legal implications of the enforcement actions;
- investigate and become thoroughly familiar with the details involved in a site or legal matter;
- determine the specific data needed and the best approach to obtain this data or determine the relevance or sufficiency of available legal, technical, or other related data;
- coordinate actions with other Federal or State agencies as necessary; and
- perform similar functions requiring specialized program knowledge acquired through extended experience.

# FACTOR 2: SUPERVISORY CONTROLS Level 2-4, 450 points

The case attorney or first-line supervisor assigns work and gives general instructions, defines objectives and deadlines, and sets priorities. Through her/his own initiative, the actual accomplishment of the work is planned and completed independently by the incumbent. The methods, approaches, problem solving, and other related functions of the project are independently selected and performed by the incumbent. The incumbent uses ingenuity to anticipate case requirements, gather supporting evidence, resolve conflicting statements, or search for corroborating or contravening precedents. The work is reviewed for accomplishment of assignment objectives, agency policy, and soundness of the decisions or conclusions. The process by which the decisions or conclusions were reached is not evaluated.

FACTOR 3: GUIDELINES

Level 3-4, 450 points

Guidelines consist of applicable federal and state legislation and regulations, Headquarters policy and directives, memoranda of understanding between EPA and other federal agencies, court decisions, agency directives, policies, and regional procedures as well as policies governing statutes and other promulgated regulations, many of which constantly change and thus require the incumbent to exercise both initiative and resourcefulness in their interpretation. Commercial legal publications, electronic legal research, Headquarters guidance and policy, and other pertinent reference and regulatory materials are used to ascertain applicable standards and procedures. These guidelines are stated in very general terms or may apply only indirectly or in part to the problem in question. The incumbent is required to extract appropriate legal references from several guidelines and apply them to the case at issue or to derive applicable standards by extension of existing precedents, which may be ambiguous or apparently in conflict.

FACTOR 4: COMPLEXITY
Level 4-4, 225 points

The work requires the incumbent to have authoritative knowledge of complex, specialized areas of the law such as liability under CERCLA and the liabilities associated with complex corporate structures and conveyances. It requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations, and policies. The duties require the ability to interpret, research, and apply case law and agency and other regulations to cases in question. Unanticipated changes in the law and Agency policy require the incumbent to be perceptive, flexible, and innovative. requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous documentation gathered from many sources. The incumbent drafts various legal documents, such as potential questions for interrogatories, portions of pre-referral packages, litigation reports, and settlement analyses, and prepares comprehensive memoranda on legal or factual issues such as liability which serve as the basis of regulatory, administrative or other legal arguments, positions, interpretations, or opinions. to prepare for and participate in settlement conferences, conferences with DOJ, Headquarters, or States, and depositions and hearings, is also required.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency and the particular case. The work involves identifying the crucial themes and arguments on which the case or matter will be based (such as the theory of

liability) and developing a process to marshal law and fact to assist the case attorney in building the case. The work involves understanding the often subtle interrelationships of various goals, policies, and information whose interrelationship may appear tenuous. The incumbent interprets and evaluates disparate information gathered from a variety of sources. She or he also utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation, and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena, or conflicting requirements. The incumbent collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete, tenuous, or conflicting information. The incumbent designs and implements appropriate methods to communicate the results of quantitative and qualitative legal and factual analyses to attorneys and other users. The work often involves cases which may require several years of ongoing case development activities. Duties require the reconstruction of events from circumstantial evidence.

### FACTOR 5: SCOPE AND EFFECT Level 5-4, 225 points

The work performed affects the efficiency of the Branch in particular, and ORC in general. The position provides a specialist to assist in the development of environmental cases pursuant to CERCLA, and to the extent relevant, other environmental statutes. The purpose of this work is, in conjunction with the case attorney, to plan, review, negotiate, and recommend decisions on enforcement cases, thereby freeing the attorneys to perform other legal work, and to supplement the attorneys' efforts in other ways. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency. The work of the incumbent is essential to case development.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. These assignments often require the application of specialized knowledge not generally available in ORC, such as knowledge relevant to the development of cases involving complex corporate relationships. The incumbent advises attorneys, other paralegal specialists or professional staff, and program staff on

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The work involves establishing criteria, formulating projects, or investigating or analyzing a variety of unusual conditions, problems or questions. The work involves complex legal or technical conditions, problems, or questions. The work also involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

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Works closely with the Branch and ORC staff, as well as other Regional personnel. The incumbent also has contact with Headquarters, the Department of Justice, U.S. Attorneys' offices, officials of state and local governments, judicial officers, attorneys and paralegals representing adverse parties, and the general public.

FACTOR 7: PURPOSE OF CONTACTS
Level 7-3, 120 points

Contacts are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists, including those of private industry and headquarters. Good communication skills, as well as tact and diplomacy must be applied in all circumstances.

FACTOR 8:

PHYSICAL DEMANDS Level 8-2, 20 points

Work is usually done in an office setting but periodically requires work in field locations such as document warehouses or repositories and opposing counsels' offices. There is a recurring requirement for gathering, lifting, and carrying moderately heavy items such as boxes of records.

FACTOR 9:

WORK ENVIRONMENT Level 9-1, 5 points

Work is performed in close proximity with co-workers as in a typical work environment. Visits sometimes have to be made to the courthouse, library, Registry of Deeds, document warehouses, or other places away from the usual work station. Infrequent travel by commercial means is required.

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# PARALEGAL SPECIALIST GS-950-12

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#### United States Environmental Protection Agency I. DUTY LOCATION 2. POSITION NUMBER POSITION DESCRIPTION COVERSHEET 0005043 Philadelphia, PA 3. CLASSIFICATION ACTION: OPM PCS for Paralegal Specialist, GS-950 dtd Aug 1986; TS-76; GS Leader Grade Evaluation Guide dtd 6/1998 b. Title c. Service d. Series ť CľC e. Grade Official Lend Paralegal Specialist GS 950 13 001 Allocation 4. SUPERVISOR'S RECOMMENDATION 5. ORGANIZATIONAL TITLE OF POSITION (if any) 6. NAME OF EMPLOYEE Catherine McCool Regional Counsel Secretary 7. ORGANIZATION (give complete organizational breakdown) U.S. ENVIRONMENTAL PROTECTION AGENCY ſ. Region III Office of Regional Counsel Various Branches h. EPAYS Organization Code SFC00000 8. SUPERVISORY/MANAGERIAL DESIGNATION First or Second level supervisor: An individual who performs supervisory work and managerial responsibilities that require accomplishment/o work through combined technical and administrative direction of others and meets the requirements for coverage as described in the General Schedule Supervisory Guide. An individual (as defined in Section 7103(a)(10) of Title V of the U.S. Code) who is authorized to hire, direct, assign, promote, reward, [A] transfer, lay off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or clerical in nature, but requires the consistent exercise of independent judgment. A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of duties outlined in the General Schedule Supervisory Guide, May also include deputies who fully share responsibility for managing the organization or who serve as an alter ego to the manager. A management official (as defined in Section 7103(a)(11) of Title V of the U.S. Code) who formulates, determines or influences an _ [B] organization's policies. This means creating, establishing, or prescribing general principles, plans, or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies not just interpret laws and regulations give resource information or recommendations or serve as experts or highly trained professionals who implement or interpret the organization's policies and plans. "Team Leader" This position meets the requirements for coverage under Part II of the Work Leader Grade Evaluation Guide. None of the above applies. This is a non-supervisory/non-managerial position. 9. SUPERVISORY CERTIFICATION | 1 certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations. d. Typed Name and Title of Second-Level Supervisor a. Typed Name and Title of Immediate Supervisor William K Early, Regional Counsel Lydia Isales, Deputy Regional Counsel Office of the Regional Counsel Office of the Regional 1/11/C5 b. Signature -Cyli halle 1/11/05

b. Fair Labor Standards Act

Nonexempt |X| Exempt

f. Signature

c. Functional

Code

g. Date

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10. OFFICIAL CLASSIFICATION CERTIFICATION

e. Check, if applicable:

Medical Monitoring Required

☐ Extramural Resources Management Duties (_ This position is subject to random drug testing (

I If position develops as planned and employee progresses

satisfactorily, this position has known promotion potential to grade:

a. [X] This position has

no promotion potential.

d. Bargaining

11. REMARKS

Unit Code

## POSITION DESCRIPTION Lead Paralegal Specialist GS-950-13

Position Number: N8107E Organizational Code: 3RC00

Organizational Location: Immediate Office

### Primary Purpose:

The incumbent serves as team leader and senior staff specialist for the handling of Self-Disclosures under the EPA's "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" and the "Small Business Compliance Policy" ("Self-Disclosure Policies") in the Office of Regional Counsel ("ORC"). Team Leader work requires the accomplishment of work through the combined technical and administrative direction of others. The incumbent facilitates team or unit processes by working collaboratively with team members or employees to ensure that tasks are completed, that good working relationships among team members and with management are maintained, and that team priorities, goals, needs, and achievements are coordinated with management. At least 25% of incumbent's time is spent on these team leader responsibilities.

As a senior paralegal specialist in ORC, the incumbent assists in the preparation of documents and cases which may include those initiated under the following statutes: the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), the Safe Drinking Water Act (SDWA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Freedom of Information Act (FOIA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Oil Pollution Act (OPA), the criminal enforcement program, and other environmental and general laws.

## Major Duties:

The specialist is required to coordinate with personnel in a full range of program areas including the various media programs, the Department of Justice, the United States Attorney's Office, the Office of General Counsel and the EPA Office of Enforcement and Compliance Assurance. The paralegal assists with or manages special technical and legal projects as assigned. Duties require the application of a specialized knowledge of laws, regulations, Agency policies and judicial and administrative proceedings to multiple aspects of the Agency's substantive mission.

1. Under the direction of a regional attorney, conducts legal and factual research and collection, analysis and evaluation of evidentiary materials, and prepares appropriate legal memoranda using standard legal citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case. Findings are closely coordinated with regional attorney, program staff, and other personnel as appropriate. Conducts search for supportive material from a variety of sources on own initiative.

- Assists regional attorney in preparation of discovery, pleadings and other documents for civil 2. litigation, criminal proceedings and administrative actions. In so doing, incumbent selects, summarizes, compares, interprets and compiles data from a variety of documents into a format best suited to the specific requirements of a case. May assist regional attorney in judicial and administrative actions and/or represent the region at administrative hearings. Part 22 or employment cases that are not resolved through settlement discussions can become formal enforcement actions assigned to an attorney with incumbent serving as second chair. Incumbent participates in all facets of trial preparation; investigates and analyzes legal, factual, evidentiary and substantive issues, identifies potential litigation risks and develops legal arguments/legal research to counter opponent's arguments at hearings. Specific duties include: coordinating and reviewing evidence collection, analysis, evaluation and presentation; independently identifying significant litigation or evidentiary issues; participating in witness preparation (interviews, depositions, affidavits, development of witness questions, questioning of witnesses); assuring that all Agency witnesses have appropriate or requisite credentials prior to hearing; preparing and/or identifying exhibits; coordinating hearing schedules, meetings, correspondence, filings. etc. with opposing counsel and appropriate judicial or administrative offices; providing in-depth knowledge of documentary and other evidence to Agency attorneys, at hearings; developing or assisting in the development of questions for opposing counsel's witnesses; drafting and filing complaints; motions and trial briefs, etc. with the Regional Hearing Clerk and/or Administrative Law Judge; preparing Certificate of Service.
- 3. Prepares legal documents for administrative and judicial actions. Incumbent must coordinate the preparation of these documents with regional attorney and/or technical staff. This coordination consists of discussions with both the attorney, if applicable, and technical staff and examination and evaluation of information obtained orally and in record and file reviews.
- 4. Organizes and maintains files for current cases and obtains and reviews records, reports, correspondence and court documents. Evaluates and develops comprehensive file system which allows for quick document retrieval. Coordinates with technical staff, contractors, courts, and others to obtain documents necessary for a current and accurate file system.
- 5. Responsible for answering requests under FOIA. Involves analysis, evaluation, review of documents, contact and coordination with ORC, program personnel and requestor while adhering to proper procedures specified under FOIA.
- 6. Acts as ORC contact for specialized areas of expertise which may include but are not limited to, bankruptcy, liens, certification, citizen suits, computer databases (national, regional, and case specific), etc. Maintains and updates relevant information and acts as resource contact for region.
- 7. As assigned, assists ORC in screening of resumes, scheduling, interviewing, and recommending selection of new paralegals, paralegal interns and/or law clerks. Maintains and evaluates resumes of prospective candidates; assists and coordinates paralegal intern program, tracks workload, writes evaluations and monitors progress of interns within ORC.

8. Handles/Resolves Self-Disclosure cases under the applicable Self-Disclosure Policy. The work requires substantial expertise, analysis and knowledge of the Self-Disclosure Policies and the underlying environmental statute at issue, with responsibilities to represent the Agency in negotiations with respondent's counsel, consult with the program client, recommend a course of action and prepare a detailed analysis as to how it complies with the Self-Disclosure Policy or the Small Business Policy, as applicable. These policies allow entities to come forward and "self-disclose" violations to EPA. Through analysis and evaluation of information against Self-Disclosure Policies, incumbent determines applicability within the program; determines whether violations have taken place; reviews and analyzes disclosure letter(s) from potential violator: calculates economic benefit that may have occurred, determines if company meets criteria for mitigation, and drafts Notice of Determination (NOD) to the violator stating EPA's finding or drafts letter setting forth the Agency's evaluation of the disclosure.

When the self-disclosing entity does not meet the criteria under the provisions of the applicable Self-Disclosure Policy, incumbent develops a strategy to pursue the company for violation(s), preferably through the 40 C.F.R. Part 22 proceeding.

9. Maintains contact with other regional paralegals through networking and formalized structure. Assists in the coordination of formal national conferences which provide training, access to regional contacts, and participation in workgroups.

## Team Leader Responsibilities

The incumbent serves as team leader for a unit of employees involved in handling disclosures under the Agency's Self-Disclosure Policies. The incumbent coordinates the assignment of and tracks progress of cases assigned with regard to the Self-Disclosure Policies. The incumbent makes recommendations to the Associate Regional Counsel for Regulatory Enforcement on case assignments, reviews case workloads of the staff and provides substantive assistance to the staff.

The Team Leader utilizes a comprehensive and practical knowledge of the environmental statutes relating to the specific violation. A seasoned knowledge of the regulations and policies governing the CAA, CWA, EPCRA, SDWA, TSCA, FIFRA, CERCLA, RCRA and OPA is necessary in order to oversee and/or assist the team members wi'h making determinations as to whether violations have occurred.

- 1. Ensures that the organization's strategic plan, mission, vision and values are communicated to the team and integrated into the team's strategies, goals, objectives, work plans, work products and services.
- 2. Articulates and communicates to the team the assignment, project, problem to be solved, actionable events, milestones, and/or program issues under review, and deadlines and time frames for completion. Two team leaders will each be responsible for tracking and making recommendations or assignments for a specified subgroup of Self-Disclosure cases. (For example, one team leader might be responsible for EPCRA 313, RCRA, TSCA PCB, TSCA Lead, TSCA AHERA and FIFRA and the other one for all multi-media, EPCRA 311, 312, and CAA).

- 3. Coaches the team in the selection and application of appropriate problem solving methods and techniques, provides advice on work methods, practices and procedures, and assists the team and/or individual members in identifying the parameters of a viable solution.
- 4. Leads the team in: identifying, distributing and balancing workload and tasks among employees in accordance with established work flow, skill level and/or occupational specialization; making adjustments to accomplish the workload in accordance with established priorities to ensure timely accomplishment of assigned team tasks; and ensuring that each employee has an integral role in developing the final team product.
- 5. Trains or arranges for the training of team members in methods and techniques of team building and working in teams to accomplish tasks or projects, and provides or arranges for specific administrative or technical training necessary for accomplishment of individual and team tasks.
- 6. Monitors and reports on the status and progress of work, checking on work in progress and reviewing completed work to see that the supervisor's instructions on work priorities, methods, deadlines and quality have been met.
- 7. Serves as coach, facilitator and/or negotiator in coordinating team initiatives and in consensus building activities among team members.
- 8. Maintains program and administrative reference materials, project files and relevant background documents and makes available policies, procedures and written instructions from the supervisor, maintains current knowledge to answer questions from team members on procedures, policies, directives, etc.
- 9. Prepares reports and maintains records of work accomplishments and administrative information, as required, and coordinates the preparation, presentation and communication of work-related information to the supervisor.
- 10. Represents the team in dealings with the supervisor or manager for the purpose of obtaining resources (e.g. computer hardware and software, use of overtime or compensatory time), and securing needed information or decisions from the Supervisor on major work problems and issues that arise.
- Reports to the Supervisor periodically on team and individual work accomplishments, problems, progress in mastering tasks and work processes, and individual and team training needs.
- 12. Represents the team consensus and conveys the team's findings and recommendations in meetings and dealings with other team leaders, program officials, the public and other customers on issues related to or that have an impact on the team's objectives, work products and/or tasks.
- 13. Estimates and reports to the team on progress in meeting established milestones and deadlines for completion of assignments, projects and tasks, and ensures that all team members are aware of and participate in planning for achievement of team goals and objectives.

- 14. Researches, learns and applies a wide range of qualitative and/or quantitative methods to identify, assess, analyze and improve team effectiveness, efficiency and work products.
- 15. Leads the team in assessing its strengths and weaknesses and provides leadership to the team in exploring alternatives and determining what improvements can be made (e.g., in work methods, processes and procedures).
- 16. Resolves simple, informal complaints of employees and refers others, such as formal grievances and appeals to the Supervisor or an appropriate management official.
- 17. Communicates team consensus and recommendations to the Supervisor on actions affecting team and individual awards, rewards and recognition.
- 18. Informs employees of available employee benefits, services and work related activities.
- 19. Intercedes with the Supervisor on behalf of the team to inform the Supervisor of performance management issues/problems and to recommend/request related actions, such as: assignments, reassignments, promotions, tour of duty changes, peer reviews and performance appraisals.

#### **Factors**

# Factor 1-7 Knowledge Required by the Position 1250 Points

Knowledge of legal references sources in agency manuals, reference systems, directives, issuances precedent decisions, court decisions, and commercial legal publications sufficient to perform extensive and thorough legal research into the legislative history, precedent cases, decisions and opinions that may be applicable; to evaluate the relevance of and summarize substantive information; to assist in case preparation; and to insure that information is lawfully released or withheld.

Comprehensive and in-depth knowledge of Federal, State, and local laws and regulations, documentation and reporting requirements, and lawmaking or rulemaking processes sufficient to make decisions or recommendations significantly changing, interpreting, or expanding important agency/national policies and programs.

Substantial expertise, analysis and knowledge of the Self-Disclosure Policies and the underlying environmental statutes at issue.

In-depth and thorough knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

Knowledge of business principles and techniques and ability to apply them in analyzing complex and often voluminous and incomplete books and records.

Knowledge of the CAA, CWA, EPCRA, SDWA, TSCA, FIFRA, CERCLA, RCRA, OPA and FOIA and the regulations implementing these acts. Also requires expert knowledge of 40 C.F.R. Part 22.

Knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to independently recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

Ability to conduct interviews, screen candidates, supervise and monitor work product of interns.

Ability to conduct settlement negotiations in administrative cases and to participate in settlement negotiations in judicial cases.

# Factor 2-4 Supervisory Control 450 Points

The Supervisor sets the overall assignment objectives, program emphasis, and resources available. The incumbent and Supervisor (or case attorney), in consultation, develop the deadlines, projects and work to be done.

Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority. exercises personal knowledge and experience in planning, directing, organizing, and coordinating work to be accomplished by target dates and proposing settlement positions in administrative cases.

Assignments are performed independently with broad latitude for the exercise of judgement in resolving technical and administrative problems, developing legal arguments, determining supporting evidence, and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the regional attorney or Supervisor apprised of activities when controversial problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

The incumbent, having developed expertise under the Self-Disclosure Policies, has continuing responsibility for independently planning and carrying out important environmental protection programs or projects; determining the approach to be taken and the methods to be used; resolving most of the conflicts that arise; coordinating the work with others as necessary; and interpreting policy in terms of established objectives.

## Factor 3-4 Guidelines 450 Points

Guidelines consist of Agency directives, policies, procedures and guidance, as well as policies governing statutes and promulgated regulations, many of which change frequently. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply, and deviate from traditional methods and practices as required either by the individualized nature of enforcement of a particular case or the nature of the problems encountered to solve issues in nonroutine situations. Incumbent plans, directs, advises, and coordinates assigned activities within the Branch and, where appropriate, within ORC and uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary widely with their guidelines to resolve complex or unusual problems.

# Factor 4-5 Complexity 325 Points

The work includes a wide variety of duties requiring many different and unrelated processes and methods applied to a broad range of activities involving a number of facilities, sites, programs, etc. (or intensive analysis and problem solving as a recognized expert) in a program or functional area.

The work is complex and requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations and policies. The duties require the ability to interpret, research and apply case law, Agency regulations, guidance and policies to cases in question. Unanticipated changes in the law and Agency policy require incumbent to be perceptive. flexible, and innovative. Work requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous documentation. Incumbent drafts various legal documents, such as questions for interrogatories, portions of PRNs or Litigation Reports, consent decrees, and Bankruptcy Proof of Claim referrals to DOJ and prepares comprehensive memoranda which serve as the basis of regulatory, administrative or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions, and hearings is also required.

Decisions regarding what needs to be done depend on assessment of very complex, diverse circumstances that involve major areas of uncertainty in approach, methodology, or interpretation resulting from such elements as unique or controversial aspects of environmental policy or differing legal interpretations.

The work requires devising new methods and techniques to produce effective results or implement advances in such areas as Self-Disclosure cases, bankruptcies and Superfund liens, establishing criteria for evaluating environmental legal issues or developing procedural material for use by operating personnel.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes pertaining to environmental enforcement. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various environmental statutes. Incumbent interprets and evaluates disparate information gathered form a variety of sources and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

Decisions regarding work to be performed include major areas of uncertainty in approach, methodology. interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena for conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from circumstantial evidence.

# Factor 5-4 Scope and Effect 225 Points

The purpose of the work is to plan and carry out of a variety of important project or legal activities. The work involves establishing criteria (e.g. developing protocol for resolution of Self-Disclosure cases; establishing guidelines; assessing program effectiveness; investigating or analyzing a variety of unusual conditions or questions; or providing advisory or oversight services to regional personnel, State and local officials, industry representatives, and others on specific functions or programs. Assignments typically involve problems that are particularly difficult, widespread, or persistent; or that are systemic in nature involving major systems or processes.

The work performed affects the efficiency of the Branch and ORC and has both implications for the enforcement efforts of the entire Region and other EPA Regions. The position provides a specialist to assist in the development of environmental cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, negotiate, and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency and is essential to case development.

The work involves developing strategies for handling complex and sometimes large legal assignment which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for

enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other departmental agencies in the Federal, State, and local governments such as the DOJ, state environmental agencies such as the Pennsylvania Department of Environmental Resources (PADEP), and various town planning boards.

## Factor 6-3 Personal Contacts 60 Points

The persons contacted include persons from outside the employing agency in a moderately unstructured setting. Typical of contacts at this level are those with persons in their capacities as contractors, inspectors, attorneys, company executives, community leaders, elected officials or representatives of Federal or State regulatory agencies, professional organizations, the news media, or organized or ad hoc public action groups.

Also works closely with regional attorneys, technical staff, and other regional personnel. Has contact with Regional Offices, Headquarters, DOJ, U.S. Attorney Offices, FBI, State and local government, and contractors. Contact with the general public is frequent.

## Factor 7-3 Purpose of Contacts 120 Points

Contacts are to influence, motivate, persuade and obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of legal, factual, procedural, or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists. including those of private industry and Headquarters. Good communication skills, as well as tact and diplomacy, must be applied in all circumstances.

# Factor 8-2 Physical Demands 20 Points

Work within the office is sedentary requiring ordinary physical activity in an office setting, such as walking, bending, and stooping. The job requires climbing, lifting heavy boxes of documents and carrying and gathering documentation during investigation activities.

## Factor 9 Work Environment 5 Points

Work is performed in an office setting in close proximity with co-workers. Additionally, a work station is provided for the voluminous documents gathered during an investigation. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.

GS-950 Series: Total Points: 2950 Final Grade GS-12

Team Leader Duties: Final Grade GS-13

# POSITION EVALUATION STATEMENT Lead Paralegal Specialist, GS-950-13

Organization: Office of Regional Counsel-

Position Number: N8107E

### I. Series GS-950 Duties:

Factor	Level	Points		
Knowledge required of the Position	1-7	1250		
Supervisory Controls	2-4	450		
Guidelines	3-4	450.		
Complexity	4-5	325		
Scope and Effect	5-4	225		
Personal Contacts	6-3	60		
Purpose of Contacts	7-3	120		
Physical Demands	8-2	20		
Work Environment	9-1	5		

Total Points: 1250 Final Grade: GS-12

Position Classification Standard References: OPM PCS for Paralegal Specialist, GS-950 dtd Aug 1986, TS-76

#### II. Team Leader Duties:

The GS Team Leader Grade Evaluation Guide (GSLEEG), Part II, allows this position to be classified one full grade level above the GS-12 level work led. The primary purpose of this position is to lead a team of other Paralegal Specialists in accomplishing two grade interval work. The performance of the team leader responsibilities are considered regular and recurring and occur at least 25 % of the time. The base level of the paralegal specialist journeyman is GS-12. The team leader will perform the same kind and level of work as the journeyman Paralegal Specialists team led. The team leader performs the seven duties comprising the coaching, facilitating and mentoring duties and a total of nineteen of the twenty duties contained in part II.

Accordingly, this position warrants the final classification of Lead Paralegal Specialist, GS-905-13.

Final Grade: GS-13

Note: For recruitment purposes, should the position become vacant the requirement to perform lead duties will remain.

Position Classification Standard References: GS Leader Grade Evaluation Guide dtd 6/98, Part II.

Ruth A. Corcino-Woodruff, Human Resources Specialist

	United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET	1. DUTY LOCATI	105 00044			ION NUMBER 431			
:	3. CLASSIFICATION ACTION: OPM PCS for Paralegal Specialist, GS-950 dtd Aug 1986, TS-76; GS Leader Grade Evaluation Guide dtd 6/1998								
:	b. Title		c. Service	d. Series	e. Grade	ı. CLC			
.	Official Lead Paralegal Specialist		GS	950	13	001			
•	4. SUPERVISOR'S RECOMMENDATION								
·	5. ORGANIZATIONAL TITLE OF POSITION (If any) Regional Counsel Secretary								
1	7. ORGANIZATION (give complete organizational breakdown)								
1	a. U.S. ENVIRONMENTAL PROTECTION AGENCY	c.	•						
	b. Region III	r.			, ,				
	e. Office of Regional Counsel	g.							
	d. Various Branches	h. EPAYS Organization Code SCF00000							
BKTO	work through combined technical and administrative direction of others and meets the requirements for coverage as described in the General Schedule Supervisory Guide.  [A] An individual (as defined in Section 7103(a)(10) of Title V of the U.S. Code) who is authorized to hire, direct, assign, promote, reward, transfer, lay off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or clerical in nature, but requires the consistent exercise of independent judgment.  [M] A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of duties outlined in the General Schedule Supervisory Guide. May also include deputies who fully share responsibility for managing the organization or who serve as an alter ego to the manager.  [B] A management official (as defined in Section 7103(a)(11) of Title V of the U.S. Code) who formulates, determines or influences an organization's policies. This means creating, establishing, or prescribing general principles, plans, or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies not just interpret laws and regulations give resource information or recommendations or serve as experts or highly trained professionals who implement or interpret the organization's policies and plans.  [T] Team Leader' This position meets the requirements for coverage under Part II of the Work Leader Grade Evaluation Guide.  None of the above applies. This is a non-supervisory/non-managerial position.  9. SUPERVISORY CERTIFICATION I certify that this is an accurate statement of the major duties and responsibilities of this position and its organization relationships and that the position is necessary to carry out governmental functions for which I am responsible. Th								
	a. Typed Name and Title of Immediate Supervisor	d. Typed Name and Title of Second-Level Supervisor							
	Lydia Isales, Deputy Regional Counsel Office of the Regional Counsel	William & Early, Regional Counsel Office of the Regional Counsel							
	b. Signature - Cydi hale 1/11/05	e. Signature		<	f. Date.	65			
	10. OFFICIAL CLASSIFICATION CERTIFICATION								
	a.   X   This position has       If position develops as planned and employee progresses   b. Fair Labor Standards Act   c. Functional no promotion potential.   Satisfactorily, this position has known promotion potential to grade:   D. Nonexempt   X   Exempt   Code					ctional			
	d. Bargaining Unit Code (b) (6)  c. Check, if applicable:  Medical Monitoring Required  Extramural Resources Management Dutles (% of time)  This position is subject to random drug testing ()	f. Signature	10 m	belsy	g. Date	· /o.			
	11. REMARKS	' /	'	1.	' '	,			

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The Team Leader utilizes a comprehensive and practical knowledge of the environmental statutes relating to the specific violation. A seasoned knowledge of the regulations and policies governing the CAA, CWA, EPCRA, SDWA, TSCA, FIFRA, CERCLA, RCRA and OPA is necessary in order to oversee and/or assist the team members with making determinations as to whether violations have occurred.

- 1. Ensures that the organization's strategic plan, mission, vision and values are communicated to the team and integrated into the team's strategies, goals, objectives, work plans, work products and services.
- 2. Articulates and communicates to the team the assignment, project, problem to be solved, actionable events, milestones, and/or program issues under review, and deadlines and time frames for completion. Two team leaders will each be responsible for tracking and making recommendations or assignments for a specified subgroup of Self-Disclosure cases. (For example, one team leader might be responsible for EPCRA 313, RCRA, TSCA PCB, TSCA Lead, TSCA AHERA and FIFRA and the other one for all multi-media, EPCRA 311, 312, and CAA).

- 3. Coaches the team in the selection and application of appropriate problem solving methods and techniques, provides advice on work methods, practices and procedures, and assists the team and/or individual members in identifying the parameters of a viable solution.
- 4. Leads the team in: identifying, distributing and balancing workload and tasks among employees in accordance with established work flow, skill level and/or occupational specialization; making adjustments to accomplish the workload in accordance with established priorities to ensure timely accomplishment of assigned team tasks; and ensuring that each employee has an integral role in developing the final team product.
- 5. Trains or arranges for the training of team members in methods and techniques of team building and working in teams to accomplish tasks or projects, and provides or arranges for specific administrative or technical training necessary for accomplishment of individual and team tasks.
- 6. Monitors and reports on the status and progress of work, checking on work in progress and reviewing completed work to see that the supervisor's instructions on work priorities, methods, deadlines and quality have been met.
- 7. Serves as coach, facilitator and/or negotiator in coordinating team initiatives and in consensus building activities among team members.
- 8. Maintains program and administrative reference materials, project files and relevant background documents and makes available policies, procedures and written instructions from the supervisor, maintains current knowledge to answer questions from team members on procedures, policies, directives, etc.
- 9. Prepares reports and maintains records of work accomplishments and administrative information, as required, and coordinates the preparation, presentation and communication of work-related information to the supervisor.
- 10. Represents the team in dealings with the supervisor or manager for the purpose of obtaining resources (e.g. computer hardware and software, use of overtime or compensatory time), and securing needed information or decisions from the Supervisor on major work problems and issues that arise.
- 11. Reports to the Supervisor periodically on team and individual work accomplishments, problems, progress in mastering tasks and work processes, and individual and team training needs.
- 12. Represents the team consensus and conveys the team's findings and recommendations in meetings and dealings with other team leaders, program officials, the public and other customers on issues related to or that have an impact on the team's objectives, work products and/or tasks.
- 13. Estimates and reports to the team on progress in meeting established milestones and deadlines for completion of assignments, projects and tasks, and ensures that all team members are aware of and participate in planning for achievement of team goals and objectives.

- 14. Researches, learns and applies a wide range of qualitative and/or quantitative methods to identify, assess, analyze and improve team effectiveness, efficiency and work products.
- 15. Leads the team in assessing its strengths and weaknesses and provides leadership to the team in exploring alternatives and determining what improvements can be made (e.g., in work methods, processes and procedures).
- 16. Resolves simple, informal complaints of employees and refers others, such as formal grievances and appeals to the Supervisor or an appropriate management official.
- 17. Communicates team consensus and recommendations to the Supervisor on actions affecting team and individual awards, rewards and recognition.
- 18. Informs employees of available employee benefits, services and work related activities.
- 19. Intercedes with the Supervisor on behalf of the team to inform the Supervisor of performance management issues/problems and to recommend/request related actions, such as: assignments, reassignments, promotions, tour of duty changes, peer reviews and performance appraisals.

#### **Factors**

## Factor 1-7 Knowledge Required by the Position 1250 Points

Knowledge of legal references sources in agency manuals, reference systems, directives, issuances precedent decisions, court decisions, and commercial legal publications sufficient to perform extensive and thorough legal research into the legislative history, precedent cases, decisions and opinions that may be applicable; to evaluate the relevance of and summarize substantive information; to assist in case preparation; and to insure that information is lawfully released or withheld.

Comprehensive and in-depth knowledge of Federal, State, and local laws and regulations, documentation and reporting requirements, and lawmaking or rulemaking processes sufficient to make decisions or recommendations significantly changing, interpreting, or expanding important agency/national policies and programs.

Substantial expertise, analysis and knowledge of the Self-Disclosure Policies and the underlying environmental statutes at issue.

In-depth and thorough knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

Knowledge of business principles and techniques and ability to apply them in analyzing complex and often voluminous and incomplete books and records.

Knowledge of the CAA, CWA, EPCRA, SDWA, TSCA, FIFRA, CERCLA, RCRA, OPA and FOIA and the regulations implementing these acts. Also requires expert knowledge of 40 C.F.R. Part 22.

Knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to independently recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

Ability to conduct interviews, screen candidates, supervise and monitor work product of interns.

Ability to conduct settlement negotiations in administrative cases and to participate in settlement negotiations in judicial cases.

## Factor 2-4 Supervisory Control 450 Points

The Supervisor sets the overall assignment objectives, program emphasis, and resources available. The incumbent and Supervisor (or case attorney), in consultation, develop the deadlines, projects and work to be done.

Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority. exercises personal knowledge and experience in planning, directing, organizing, and coordinating work to be accomplished by target dates and proposing settlement positions in administrative cases.

Assignments are performed independently with broad latitude for the exercise of judgement in resolving technical and administrative problems, developing legal arguments, determining supporting evidence, and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the regional attorney or Supervisor apprised of activities when controversial problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

The incumbent, having developed expertise under the Self-Disclosure Policies, has continuing responsibility for independently planning and carrying out important environmental protection programs or projects; determining the approach to be taken and the methods to be used; resolving most of the conflicts that arise; coordinating the work with others as necessary; and interpreting policy in terms of established objectives.

#### Factor 3-4 Guidelines 450 Points

Guidelines consist of Agency directives, policies, procedures and guidance, as well as policies governing statutes and promulgated regulations, many of which change frequently. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply, and deviate from traditional methods and practices as required either by the individualized nature of enforcement of a particular case or the nature of the problems encountered to solve issues in nonroutine situations. Incumbent plans, directs, advises, and coordinates assigned activities within the Branch and, where appropriate, within ORC and uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary widely with their guidelines to resolve complex or unusual problems.

## Factor 4-5 Complexity 325 Points

The work includes a wide variety of duties requiring many different and unrelated processes and methods applied to a broad range of activities involving a number of facilities, sites, programs, etc. (or intensive analysis and problem solving as a recognized expert) in a program or functional area.

The work is complex and requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations and policies. The duties require the ability to interpret, research and apply case law, Agency regulations, guidance and policies to cases in question. Unanticipated changes in the law and Agency policy require incumbent to be perceptive. flexible, and innovative. Work requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous documentation. Incumbent drafts various legal documents, such as questions for interrogatories, portions of PRNs or Litigation Reports, consent decrees, and Bankruptcy Proof of Claim referrals to DOJ and prepares comprehensive memoranda which serve as the basis of regulatory, administrative or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions, and hearings is also required.

Decisions regarding what needs to be done depend on assessment of very complex, diverse circumstances that involve major areas of uncertainty in approach, methodology, or interpretation resulting from such elements as unique or controversial aspects of environmental policy or differing legal interpretations.

The work requires devising new methods and techniques to produce effective results or implement advances in such areas as Self-Disclosure cases, bankruptcies and Superfund liens, establishing criteria for evaluating environmental legal issues or developing procedural material for use by operating personnel.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes pertaining to environmental enforcement. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various environmental statutes. Incumbent interprets and evaluates disparate information gathered form a variety of sources and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

Decisions regarding work to be performed include major areas of uncertainty in approach, methodology. interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena for conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from circumstantial evidence.

## Factor 5-4 Scope and Effect 225 Points

The purpose of the work is to plan and carry out of a variety of important project or legal activities. The work involves establishing criteria (e.g. developing protocol for resolution of Self-Disclosure cases; establishing guidelines; assessing program effectiveness; investigating or analyzing a variety of unusual conditions or questions; or providing advisory or oversight services to regional personnel, State and local officials, industry representatives, and others on specific functions or programs. Assignments typically involve problems that are particularly difficult, widespread, or persistent; or that are systemic in nature involving major systems or processes.

The work performed affects the efficiency of the Branch and ORC and has both implications for the enforcement efforts of the entire Region and other EPA Regions. The position provides a specialist to assist in the development of environmental cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, negotiate, and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency and is essential to case development.

The work involves developing strategies for handling complex and sometimes large legal assignment which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for

enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other departmental agencies in the Federal, State, and local governments such as the DOJ, state environmental agencies such as the Pennsylvania Department of Environmental Resources (PADEP), and various town planning boards.

## Factor 6-3 Personal Contacts 60 Points

The persons contacted include persons from outside the employing agency in a moderately unstructured setting. Typical of contacts at this level are those with persons in their capacities as contractors, inspectors, attorneys, company executives, community leaders, elected officials or representatives of Federal or State regulatory agencies, professional organizations, the news media, or organized or ad hoc public action groups.

Also works closely with regional attorneys, technical staff, and other regional personnel. Has contact with Regional Offices, Headquarters, DOJ, U.S. Attorney Offices, FBI, State and local government, and contractors. Contact with the general public is frequent.

## Factor 7-3 Purpose of Contacts 120 Points

Contacts are to influence, motivate, persuade and obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of legal, factual, procedural, or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists. including those of private industry and Headquarters. Good communication skills, as well as tact and diplomacy, must be applied in all circumstances.

## Factor 8-2 Physical Demands 20 Points

Work within the office is sedentary requiring ordinary physical activity in an office setting, such as walking, bending, and stooping. The job requires climbing, lifting heavy boxes of documents and carrying and gathering documentation during investigation activities.

#### Factor 9 Work Environment 5 Points

Work is performed in an office setting in close proximity with co-workers. Additionally, a work station is provided for the voluminous documents gathered during an investigation. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.

GS-950 Series: Total Points: 2950 Final Grade GS-12

Team Leader Duties: Final Grade GS-13

## POSITION EVALUATION STATEMENT Lead Paralegal Specialist, GS-950-13

Organization: Office of Regional Counsel

Position Number: N8107E

#### I. Series GS-950 Duties:

Factor .	Level	Points
Knowledge required of the Position	1-7	1250
Supervisory Controls	2-4	450
Guidelines	3-4	450
Complexity	4-5	325
Scope and Effect	5-4	225
Personal Contacts	6-3	60
Purpose of Contacts	7-3	120
Physical Demands	8-2	20
Work Environment	9-1	5

Total Points: 1250 Final Grade: GS-12

Position Classification Standard References: OPM PCS for Paralegal Specialist, GS-950 dtd Aug 1986, TS-76

#### II. Team Leader Duties:

The GS Team Leader Grade Evaluation Guide (GSLEEG), Part II, allows this position to be classified one full grade level above the GS-12 level work led. The primary purpose of this position is to lead a team of other Paralegal Specialists in accomplishing two grade interval work. The performance of the team leader responsibilities are considered regular and recurring and occur at least 25 % of the time. The base level of the paralegal specialist journeyman is GS-12. The team leader will perform the same kind and level of work as the journeyman Paralegal Specialists team led. The team leader performs the seven duties comprising the coaching, facilitating and mentoring duties and a total of nineteen of the twenty duties contained in part II.

Accordingly, this position warrants the final classification of Lead Paralegal Specialist, GS-905-13.

Final Grade: GS-13

Note: For recruitment purposes, should the position become vacant the requirement to perform lead duties will remain.

Position Classification Standard References: GS Leader Grade Evaluation Guide dtd 6/98, Part II.

Ruth A. Corcino-Woodruff, Human Resources Specialist

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Postion realigned 8/27/10

Bettini Oum Please read instructions on reverse before completing United States Environmental Protection Agency Washington, DC 20460 1. Duty Location Position Description Philadelphia, PA Classification Action N4101E a. Reference of Series and Date of Standards Used To Classify This Position OPM GS-950, See the attached evaluation statement. b. Title Service Series Official Grade CLC d Allocation e. Paralegal Specialist GS 950 12 001 Supervisor's Recommendation 5. Organizational Title of Position (if any) 6. Name of Employee 7. Organization (Give complete organizational breakdown) U.S. Environmental Protection Agency Immediate Office Region III Office of Regional Counsel g. Air, Water, Toxics and General Law Br. h. EPAYS Organization Code 8. Performance Management and Recognition System (PMRS) Certification for Positions in Grades GS/GM 13-15 engaged in substantive professional, technical, or administrative work. Duties include assigning, directing, and An individual (as defined by Title VII of the Civil Service Reform Act) who is authorized to hire, direct, assign, promote, reward, reviewing work, evaluating performance, recommer personnel actions, training and developing employees, etc. Act, who is authorized to nire, direct, assign, promote, reward, transfer, lay off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or clerical in nature but recommending requires the consistent exercise of independent judgment. A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of management duties outlined in the Supervisory Grade Evaluation Guide. May also include deputies who fully share responsibility for managing the organization or who serve as an alter ego to the manager. A management official (as defined by Title VII of the Civil Service Reform Act) who formulates, determines, or influences an organization's policies. This means creating, establishing or prescribing general principles, plans, or courses of action for an organization; deciding on plans or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies; not just interpret laws and regulations, give resource information or recommendations or serve as experts or highly trained professionals who implement M organization or who serve as an alter ego to the manager. serve as experts or highly trained professionals who implement or interpret the organization's policies and plans. None of the above applies to this position. Exempt from PMRS. I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations. Typed Name and Title of Immediate Supervisor Cynthia Giles, Chief, Air, Water d. Typed Name and Title of Second-Level Supervisor Marcia E. Mulkey, Regional Counsel Foxics and General Law Branch b. Signature c. Date e. Signature f. Date 10. Official Classification Certification This position has no If position develops as planned and employee progresses known promotion potential satisfactorily, this position has known promotion potential to grade -b. Fair Labor Standards Act Signature of Classification Official Nonexempt Med MonitoFing Required. d. Date Random drug tost Extramural Resources Memt Duties ( 11. Remarks (Continue on adritional safetiski (Nonessary) This is an incumbency affocation. When the positioned monthing Required its months is a series of the series of th FPL W GEXTransital Resources Milmr Duttes du Lesby 12. Duties and Responsibilities

Bargaining Unit Code: TT

# Paralegal Specialist GS-950-12 N4101E

#### INTRODUCTION

As a paralegal specialist in the Office of Regional Counsel, the Air, Water, Toxics, and General Law Branch, the incumbent assists in the preparation of documents and cases which may include those initiated under the following statutes: the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Freedom of Information Act (FOIA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), Oil Pollution Act (OPA), the Criminal Enforcement Program, and other environmental and general laws. The incumbent is required to coordinate with personnel in a full range of program areas including the various media programs, the Department of Justice, the United States Attorney's Office and the EPA Office of Enforcement. Assists with or manages special technical and legal projects as assigned. Duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative proceedings to multiple aspects of the Agency's substantive mission.

#### MAJOR DUTIES

- 1. Under the direction of a regional attorney, conducts legal and factual research and collection, analysis and evaluation of evidentiary materials, and prepares appropriate legal memoranda using standard legal citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case. Findings are closely coordinated with regional attorney, program staff, and other personnel as appropriate. Initiates search for supportive material from a variety of sources on own initiative.
- 2. Assists regional attorney in preparation of discovery, pleadings and other documents for civil litigation, criminal proceedings and administrative actions. In so doing, incumbent selects, summarizes, compares, interprets and compiles data from a variety of documents into a format best suited to the specific requirements of a case. May assist regional attorney in judicial and administrative actions and/or represent the region at administrative hearings.
- 3. Prepares legal documents for administrative and judicial actions. Incumbent must coordinate the preparation of these documents with regional attorney and/or technical staff. This

coordination consists of discussions with both the attorney, if applicable, and technical staff and examination and evaluation of information obtained orally and in record and file reviews.

- 4. Organizes and maintains files for current cases and obtains and reviews records, reports, correspondence and court documents. Evaluates and initiates comprehensive file system which allows for quick document retrieval. Coordinates with technical staff, contractors, courts, and others to obtain documents necessary for a current and accurate file system.
- 5. Responsible for answering requests under Freedom of Information Act (FOIA). Involves analysis, evaluation, review of documents, contact and coordination with Office of Regional Counsel (ORC), program personnel and requestor while adhering to proper procedures specified under FOIA.
- 6. Acts as ORC contact for specialized areas of expertise which may include but are not limited to, bankruptcy, liens, certification, citizen suits, computer databases (national, regional, and case specific), etc. Responsible for the administrative aspects of programs. Maintains and updates relevant information and acts as resource contact for region.
- 7. Assists ORC in qualifying, scheduling, interviewing, and selecting of new paralegals, paralegal interns and/or law clerks. Maintains and evaluates resumes of prospective candidates; assists and coordinates paralegal intern program, tracks workload, writes evaluations and monitors progress of interns with ORC.
  - 8. Maintains contact with other regional paralegals through networking and formalized structure. Assists in the coordination of formal national conferences which provide training, access to regional contacts, and participation in workgroups.

## FACTOR 1: KNOWLEDGE REQUIRED BY THE POSITION

Knowledge and skill to effectively plan, direct and coordinate activities, and to conduct the review and evaluation of potential enforcement actions. Includes a comprehensive and practical knowledge of the environmental field that enables incumbent to serve as a specialist in the management of enforcement cases.

Employee must have a general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

General knowledge of business principles and techniques and ability to apply them in analyzing complex and often voluminous

and incomplete books and records.

Specific knowledge of the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Freedom of Information Act (FOIA) and the regulations implementing these acts. Also requires specific knowledge of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits at 40 C.F.R. Part 22.

Specific knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

Ability to conduct interviews, screen candidates, supervise and monitor work product of interns.

Ability to conduct settlement negotiations in administrative cases and to participate in settlement negotiations in judicial cases.

## FACTOR 2: SUPERVISORY CONTROLS

Incumbent works under supervision of supervisor or case attorney, making independent judgments as to priority of work and case requirements. Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercises personal knowledge and experience in planning, directing, organizing, and coordinating work to be accomplished by target dates and proposing settlement positions in administrative cases.

Assignments are performed independently with broad latitude for the exercise of judgement in resolving technical and administrative problems, developing legal arguments, determining supporting evidence, and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the regional attorney or supervisor apprised of activities when controversial problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

## FACTOR 3: GUIDELINES

Guidelines consist of Agency directives, policies, procedures and guidance, as well as policies governing statutes and promulgated regulations, many of which change frequently. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply, and deviate from traditional methods and practices as required either by the individualized

nature of enforcement of a particular case or the nature of the problems encountered to solve issues in nonroutine situations. Incumbent plans, directs, advises, and coordinates assigned activities within the Branch and where appropriate, within ORC and uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary with their guidelines widely to resolve complex or unusual problems.

#### FACTOR 4: COMPLEXITY

The work is complex though often repetitive and requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations and policies. The duties require the ability to interpret, research and apply case law, agency regulations, guidances and policies to cases in question. Unanticipated changes in the law and Agency policy require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous documentation. Incumbent drafts various legal documents, such as questions for interrogatories, portions of PRNs or Litigation Reports, consent degrees, and Bankruptcy Proof of Claim referrals to DOJ and prepares comprehensive memoranda which serve as the basis of regulatory, administrative or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions, and hearings is also required.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes pertaining to environmental enforcement. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various Acts. Incumbent interprets and evaluates disparate information gathered from a variety of sources and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and quidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena or conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from

circumstantial evidence.

FACTOR 5: SCOPE AND EFFECT

The work performed affects the efficiency of the Branch and ORC and has both implications for the enforcement efforts of the entire Region and other EPA Regions. The position provides a specialist to assist in the development of environmental cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, negotiate, and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency and is essential to case development.

The work involves developing strategies for handling complex and sometimes large legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other departmental agencies in the Federal, State, and local governments such as the Department of Justice (DOJ), state environmental agencies such as the Pennsylvania Department of Environmental Resources (PADER), and various town planning boards.

### FACTOR 6: PERSONAL CONTACT

Works closely with regional attorneys, technical staff, and other regional personnel. Also has contact with Regional Offices, Headquarters, Department of Justice, U. S. Attorney offices, FBI, state and local government, and contractors. Contact with the general public is frequent.

#### FACTOR 7: PURPOSE OF CONTACT

Contacts are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of

action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural, or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists, including those of private industry and headquarters. Good communication skills, as well as tact and diplomacy must be applied in all circumstances.

## FACTOR 8: PHYSICAL DEMANDS

Work within the office is sedentary requiring ordinary physical activity in an office settings, such as walking, bending, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation may be required during investigation activities.

## FACTOR 9: WORK ENVIRONMENT

Work is performed in an office setting in close proximity with co-workers. Additionally, a work station should be provided for the voluminous documents gathered during an investigation. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.

#### CLASSIFICATION EVALUATION

**Proposed Position:** Paralegal Specialist (GS-950-12)

**Organizational Location:** US EPA, Region 3, Office of Regional Counsel, Water & General Law

Branch

**References:** (a) OPM PCS for the Paralegal Specialist Series,

GS-950, 8/1986

#### **Title and Series Determination:**

Reference (a) defines Paralegal Specialist work as work which analyzes the legal impact of legislative developments and administrative and judicial decisions, opinions, determinations, and rulings on agency programs; conducts research for the preparation of legal opinions on matters of interest to the agency; or performs substantive legal analysis of requests for information under the provisions of various acts. The Paralegal series includes positions that do not require the professional legal knowledge represented by graduation from law school.

This position performs a variety of legal assistance duties in the Water & General Law Branch, in the Office of Regional Council. These duties include conducting legal and factual research, evaluating evidentiary materials, preparing legal documents for administrative and judicial actions, and researching issues of law to assist in the development of proposed Agency positions. This position does not require the professional legal knowledge represented by a law degree.

Appropriately, this position is placed in the Paralegal Specialist series, GS-950-12. In accordance with titling instructions in the GS-950 standard this position is titled a "Paralegal Specialist."

**Grade Determination:** The grade of the position was determined by application of reference (a) to the position description. The factor levels were evaluated as follows:

	<b>Evaluation Factors</b>	Standard Used	Points Assigned		
I	Knowledge Required	1-7	1250 points		
II	Supervisory Controls	2-4	450 points		
III	Guidelines	3-4	450 points		

IV	Complexity	4-4	225 points
V	Scope and Effect	5-4	225 points
VI	Personal Contacts	6-3	60 points
VII	Purpose of Contacts	7-3	120 points
IIX	Physical Demands	8-2	5 points
IX	Work Environment	9-1	5 points

Total Points = 2790

GS-12 Grade Range = 2755 - 3150

Final Classification: Paralegal Specialist, GS-0950-12

Debi Thomas, Human Resources Specialist

05/07/2010

11. Remarks (Continue on additional sheet(s) if necessary)

This is an incumbency allocation. When the position becomes vacant it must be precious for classification prior to recruitment. Fill is 65-12. Charles and Responsibilities

12. Duties and Responsibilities

Type on plain bond paper and attach to this form. Use format shown on reverse.

EPA Form 3150-1 (Rev. 2-87)

Sees EPA Form 3150-25 and previous editions of Eparts and of which are obsolete.

Position realigned 8/27/10 Bus charged per opm, off 02/10/13

## Paralegal Specialist GS-950-12

#### INTRODUCTION

As a paralegal specialist in the Office of Regional Counsel, Air, Water, Toxics, and General Law Branch, the incumbent assists in the preparation of documents and cases which may include those initiated under the following statutes: the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Freedom of Information Act (FOIA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), Oil Pollution Act (OPA), the Criminal Enforcement Program, and other environmental and general laws. The incumbent is required to coordinate with personnel in a full range of program areas including the various media programs, the Department of Justice, the United States Attorney's Office and the EPA Office of Enforcement. Assists with or manages special technical and legal projects as assigned. Duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative proceedings to multiple aspects of the Agency's substantive mission.

#### MAJOR DUTIES

- 1. Under the direction of a regional attorney, conducts legal and factual research and collection, analysis and evaluation of evidentiary materials, and prepares appropriate legal memoranda using standard legal citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case. Findings are closely coordinated with regional attorney, program staff, and other personnel as appropriate. Initiates search for supportive material from a variety of sources on own initiative.
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coordination consists of discussions with both the attorney, if applicable, and technical staff and examination and evaluation of information obtained orally and in record and file reviews.

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- 5. Responsible for answering requests under Freedom of Information Act (FOIA). Involves analysis, evaluation, review of documents, contact and coordination with Office of Regional Counsel (ORC), program personnel and requestor while adhering to proper procedures specified under FOIA.
- 6. Acts, as ORC contact for specialized areas of expertise which may include but are not limited to, bankruptcy, liens, certification, citizen suits, computer databases (national, regional, and case specific), etc. Responsible for the administrative aspects of programs. Maintains and updates relevant information and acts as resource contact for region.
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Knowledge and skill to effectively plan, direct and coordinate activities, and to conduct the review and evaluation of potential enforcement actions. Includes a comprehensive and practical knowledge of the environmental field that enables incumbent to serve as a specialist in the management of enforcement cases.

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and incomplete books and records.

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Ability to conduct interviews, screen candidates, supervise and monitor work product of interns.

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nature of enforcement of a particular case or the nature of the problems encountered to solve issues in nonroutine situations. Incumbent plans, directs, advises, and coordinates assigned activities within the Branch and where appropriate, within ORC and uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary with their guidelines widely to resolve complex or unusual problems.

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1

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The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes pertaining to environmental enforcement. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various Acts. Incumbent interprets and evaluates disparate information gathered from a variety of sources and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena or conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from

circumstantial evidence.

FACTOR 5: SCOPE AND EFFECT .

The work performed affects the efficiency of the Branch and ORC and has both implications for the enforcement efforts of the entire Region and other EPA Regions. The position provides a specialist to assist in the development of environmental cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, negotiate, and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency and is essential to case development.

The work involves developing strategies for handling complex and sometimes large legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other departmental agencies in the Federal, State, and local governments such as the Department of Justice (DOJ), state environmental agencies such as the Pennsylvania Department of Environmental Resources (PADER), and various town planning boards.

FACTOR 6: PERSONAL CONTACT

Works closely with regional attorneys, technical staff, and other regional personnel. Also has contact with Regional Offices, Headquarters, Department of Justice, U. S. Attorney offices, FBI, state and local government, and contractors. Contact with the general public is frequent.

FACTOR 7: PURPOSE OF CONTACT

Contacts are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of

action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural, or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists, including those of private industry and headquarters. Good communication skills, as well as tact and diplomacy must be applied in all circumstances.

FACTOR 8: PHYSICAL DEMANDS

:2:

Work within the office is sedentary requiring ordinary physical activity in an office settings, such as walking, bending, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation may be required during investigation activities.

FACTOR 9: WORK ENVIRONMENT

Work is performed in an office setting in close proximity with co-workers. Additionally, a work station should be provided for the voluminous documents gathered during an investigation. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.

## Evaluation Report

Pos.Description # N4101E Date: 05-12-94

- I. Allocation: Paralegal Specialist, GS-950-12
- II. Location: ORC, Air, Water, Toxics & General Law Branch
- III. Position Classification Standard References:
  - A. OPM Introduction to the Position Classification Standards; dated, 8/91.
  - B. OPM PCS for the Paralegal Specialist Series, GS-950; dated, 8/86.
- IV. Position Background

The subject position is being reviewed at the request of management because of the increased duties being performed by the incumbent.

V. Series and Title Determination

This position performs a variety of legal assistance duties in the RCRA & CERCLA Remedial Branch, in the Office of Regional Counsel. These duties include conducting legal research, evaluating of evidentiary materials, prepares legal documents for administrative and judicial actions, and analyzes the impact new legislation, on Agency and Regional policies.

The Paralegal series includes positions who provide a variety of legal assistance duties that do not require the incumbent to possess professional legal knowledge to the extent obtained by graduation from a law school. Typical duties include substantive legal analysis of requests for information under provisions of legal acts, conducting research for preparation of legal opinions on matters of interest to the agency.

This position does not require the professional legal knowledge acquired by obtaining a law degree. Appropriately this position is placed in the Paralegal Specialist series, GS-950-12. In accordance with titling instructions in the GS-950 standard this position is titled a " Paralegal Specialist ".

## VI. Grade Determination

Paralegal work assignments due to their nature can be influenced by the expertise of the incumbent and his/her

ability to perform legal assistant work. This principle is recognized in the classification system as the "Impact of the Person on the Job". The incumbent works on a variety of legal assignments. The incumbent is considered an expert on the Asbestos Hazard Emergency Resources Act and the administrative regulations governing penalties for violation of the Act. The incumbent is as of this writing the only paralegal specialist in the Agency who appears before an Administrative Law Judge in administrative cases without an attorney present. the incumbent also serves as an expert in the 1990 amendments to the Clean Air Act and reviews state regulations for compliance with this legislation. These duties and the position as a whole equate to the GS-12 level. Please see the attached FES evaluation.

Thomas J. Mund

Position Classification Specialist

## FACTOR EVALUATION SYSTEM POSITION EVALUATION STATEMENT'

Title, Series & Grade: Paralegal Specialist, GS-950-12

Organization: ORC, Air, Water, Toxics & General Law Branch,

Immediate Office

Pos.No. N4101E

	ALUATION CTORS	POINTS ASSIGNED	STANDARD USED	COMMENTS
1. Rec	Knowledge quired By the sition.	1250	Level 1-7	
2.	Supervisory Controls	450	Level 2-4	
3.	Guidelines	450	Level 3-4	
4.	Complexity	225	Level 4-4	
5.	Scope and Effect	225	Level 5-4	
6.	Personal Contacts	. 60	Level 6-3	
7.	Purpose of Contacts	120	Level 7-3	
8.	Physical Demands	5	Level 8-1	
9.	Work Environment	5	Level 9-1.	
3 TC	OTAL POINTS	2790		C annuantiate dest

TOTAL POINTS 2790 Remarks: (As appropriate, desk audit U finding or other consider-M ations not previously documented which affect M A GRADE CONVERSION GS-12 final grade.) R

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Position Classification Standard References: (a) OPM PCS for the Paralegal Specialist Series, GS-950; dated, 8/86.

Thomas J. Mund

.Position Classification Specialist

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Position Description Coversheet (Please read instructions on to				k) 1. Position No.			Incumbency Allocation Only?		nly?		
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	Paralegal Sp							GS	0950		09
25. Organizational Title of Po	osition (if different	from official title)			26.	. Name of Emp	loyee (if vacant, state suc	h)			
Paralegal Specialist						Shannor	Richardson				
			27. De	eparment, Agency,	or Establishm	ent Hierarchy					
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28. Supervisory Certification	on: I certify that t	his is an accurate s	tatement of the ma	ior duties and resoc	onsibilities of t	this position and	d its organizational relation	nships. The	position is necessar	v to carr	v out
Governmental functions for v	vhich I am respon	sible. This certificat	tion is made with ki	nowledge that this i	information is:						
and that false or misleading s			of such statutes or			1 7771		.,			
a. Typed Name and Title of I	•						Higher-Level Supervisor	or Manager			
_Alicia R. Daniels-Lew	vis, Chief, Offic	ce of Gen Law,	Crim Law & C			mer, Region	al Counsel				
Signature				Date	Signature					Date	
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29. Classification/Job Grad as required by Title 5, U.S. C							s: The classification of the Personnel Management				
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applicable published standar					of Personnel Management.						
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John Ellsworth, HR Specialist (Classification)					Paralegal Specialist Series, GS-0950 TS-76 August 1986						
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31. Remarks				<u> </u>							
31. Remarks											

#### STATEMENT OF DIFFERENCE GS-9

(2 grade interval series)

This is a statement of difference to the full performance position identified on the cover sheet. The incumbent of this position will function at the GS-9 level until all legal, regulatory and administrative requirements which permit assigning GS-11 performance level duties and responsibilities are met. Promotion to the GS-11 level is neither mandatory or automatic upon completion of these requirements. Management retains the right to determine when the incumbent is qualified for the next higher grade. The following amendments to the next higher level position apply:

At the GS-9 grade level, incumbent will serve as an advanced trainee for all duties and responsibilities described in the next higher level position. The incumbent reports to the supervisor who assigns work stating clear objectives and assuring for soundness of technical judgement and completeness of assignment. The supervisor is available in situations involving controversial or policy questions and will provide technical guidance until incumbent is fully trained and can function independently.

### PARALEGAL SPECIALIST GS 0950-11

#### I. INTRODUCTION

Organizational Location: This position is in the Office of Regional Counsel (ORC) Office of General Law, Criminal Law and Cross Office Support, Region 4, U.S. Environmental Protection Agency (EPA), Atlanta, Georgia. Incumbent serves as a Paralegal Specialist and works under the supervision of a Legal Office Chief.

## Primary Purpose/Function of the position is summarized below:

The incumbent is instrumental in the development, preparation, enforcement, defense, and settlement of cases brought under EPA's regulatory programs, including cases under the Clean Air Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation and Recovery Act, the Clean Water Act, the Safe Drinking Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and the Oil Pollution Act, as well as other programs supported by ORC, such as bankruptcy, criminal enforcement, ethics, employment and records management. The incumbent is required to coordinate with a full range of program areas. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission, as well as the ability to manage information in databases and other electronic formats.

The incumbent serves as Regional Hearing Clerk as outlined in Title 40 Code of Federal Regulations (CFR), governing the Consolidated Rules of Practice under sections (TSCA, RCRA, FIFRA, CAA, EPCRA, CWA I & II, NPDES, SDWA, UIC, OPA, NPDES, SPCC, CERCLA and MPRSA). As the Regional Hearing Clerk, the incumbent serves as the regional enforcement data steward for the Regional Hearing Clerk Tracking System (RHCTS).

The incumbent serves as Regional Ethics Liaison: Provides administrative support to ORC's Ethics Team and maintains data concerning incumbent filing of ethics forms, approvals of outside activities and other ethics related information in the Region.

The incumbent will serve as the ORC Webmaster and will be responsible for developing and updating ORC's internal and external web sites.

#### Other Assigned Duties, include but are not limited to the following:

**Notary Public**: Provides regional notarization of documents (legal and non-legal) and court certifications.

**Hiring Committee, Intern Committee and Training Team**: Incumbent will assist in coordinating hiring efforts of the Office of Regional Counsel including the hiring of interns. Incumbent will also assist the training team in procuring vendors for internal training activities within the Office of Regional Counsel and various CLE related tasks.

### II. MAJOR DUTIES AND RESPONSIBILITIES

### Paralegal Responsibilities - 50%

Under the direction of a regional staff attorney, assists in the preparation of administrative actions under regulatory and other programs, including drafting correspondence and legal documents; preparing administrative records; supporting negotiations; coordinate the preparation of the legal documents with the regional attorney and, as appropriate, the regional technical staff. The incumbent also performs tasks necessary for debt collection and bankruptcy proceedings. This coordination includes discussion, examination, evaluation and management of information obtained from a variety of resources.

Assists the regional staff attorney in preparation for administrative and civil litigation including drafting correspondence, drafting the litigation report consistent with guidance, preparation of discovery documents, administrative records, pleadings, affidavits, motions to dismiss, motions for summary judgment and other documents. In so doing, the incumbent selects, summarizes, compares, interprets and compiles data, information and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Conducts legal research on a variety of legal issues and provides statutory interpretation by research statutes, legislative history, policy and guidance. Assists with the preparation of legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search. Coordinates with the enforcement program including setting up regular calls with DOJ and tracking outstanding issues, helping to ensure that enforcement commitments are met.

Oversees and uses complex electronic discovery databases, FOIA databases, and IT tools and trains ORC attorneys and other regional staff on the use of these tools. Participates on national discovery workgroups and communicates workgroup activities to others in ORC. Conducts legal research and stays up to date on current case law and agency practices regarding civil discovery and records, management. Coordinate responses to discovery requests and serves as the primary point-of-contact for the collection, processing, review, and production phases of discovery. Helps prepare privilege logs and supporting affidavits. Assists in tracking and maintaining administrative and judicial cases within the region.

Reviews reported case law. Selects and analyzes decision, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.

Maintains contact with other regional paralegals through networking and formalized structure.

Performs other related duties as assigned

#### Regional Hearing Clerk Responsibilities – 40%

Serves as the Region 4 Regional Hearing Clerk (RHC) for administrative adjudications. Receives documents that either initiates a case or supplements an active case for filing under the various environmental statutes. Evaluates documents to determine if they are complete, whether procedural and formatting requirements of various laws and regulations have been followed, and whether submitted within the acceptable period. Maintains official administrative records of cases in adjudication under TSCA, CAA, RCRA, FIFRA, EPCRA, CWA, NPDES, CERCLA, UIC, OPA, SDWA and MPRSA. Returns originals to case files, mail copies to the respondents, and electronically sends ORC attorney/program staff a pdf copy. Serves as custodian of exhibits, maintains CAFO log record, prepares case files, and responsible for maintaining security of confidential files.

Implements and maintains a comprehensive tickler/tracking mechanism, RHCTS, for due dates of answers, status reports, and penalty payments necessary for the Regional Judicial Officer (RJO)/Presiding Officer (PO)/Administrative Law Judge (ALJ) and enforcement staff to make important legal determinations and allow for quick document retrieval. Tracks, analyzes and reports on all administrative actions originating in the Region to senior level managers. Inputs all background information regarding the office and incorporates all administrative history into the system to create a comprehensive automated docket of administrative cases. Coordinates with attorneys in ORC, as well as with Regional engineers, scientists, and other professional staff, contractors, courts and EPA stakeholders involved in the enforcement process to ensure that all enforcement information is timely and appropriately reflected in appropriate national databases.

Prepares and signs off as RHC on Certificates of Service (preserving proof of service); notice of hearings; motions issued by RJO; designation memorandums; responses to requests for adjudicatory hearings; and on other documents for administrative/judicial actions. Incumbent must coordinate the preparation of these documents with the regional attorney and/or technical staff. Serves as a resource to legal counsel and the public seeking information contained in the administrative case files. Advises on proper filing of documents and answers questions as to the status of cases, filing dates and payment options. Facilitates communication with opposing counsel and acts as liaison between the parties and Administrative Law Judges and RJO. Acknowledges requests for extension of time and transmits requests to the Administrative Law Judge or Regional Judicial Officer (RJO). Transmits files to Chief ALJ for assignment to Administrative Law Judge and setting of hearing dates. Transmits signed Consent Agreements and Final Orders to the Cincinnati Finance Center (CFC) for collection of fines.

Arranges billing accounts and tracks payments of penalties. Manages Excel spreadsheet listing all incoming Consent Agreements/Final Orders for both RJO and RA signatures. Receives copies of checks; accepts and records the receipt of payments for fines paid by respondents, forwards the funds to the EPA collection office within prescribed timeframes, and informs the case attorney when payments are received. Carries out the Inter-office Agreement on Administrative Filing procedures between the Office of Regional Counsel and Financial Management Section, which requires the transmittal of accounts receivable documents to be relied upon for the tracking of financial data related to all administrative actions in the Region. Submits quarterly reports of the "OECA Performance Measures" to the Office of Regional Counsel.

In conjunction with RJO, instructs regional staff on filing procedures and expectations for receiving documents for processing. Prepares certificates of authenticity of official agency records.

Arranges for hearing rooms and maintains close liaison with the respective Presiding Officer and the case attorney regarding settlements that may obviate need for hearings, courtrooms, and reporters. As needed procures commercial reporting services and distributes transcripts and approves voucher for services rendered.

Develops procedures that enable members of the bar and public to review files. Responsible for appropriate reception and supervision of visitors, including the protection of the integrity of the administrative records reviewed. Maintains a library of all decisions of Presiding Officers and Administrative Law Judges nationwide for use by Region 4 Presiding Officer and other Region 4 incumbents. Organizes administrative decisions in a manner that is indexed and easily reviewed by the Agency, respondents, and the general public. Manages and reviews all public comments and determines the appropriate manager in the Water Division to inform of such comments (under CWA Section 309(g) and 311(b)(6)(B)(ii) (Class I & II). Analyzes and evaluates requests for certification of agency documents.

#### **ORC Webmaster Responsibilities 10%**

Serves as ORC's webmaster responsible for developing and updating ORC's internal and external web sites. Functions include determining overall web design and structure; monitoring functionality, security, and integrity; troubleshooting problems; reviewing and integrating new web pages and SharePoint sites; collecting and analyzing web site statistics; and developing office policies related to the internet, intranet. Represents ORC on workgroups and teams ensuring ORC's needs are considered. Ensures ORC's web pages are updated as requested by staff and management. Working with a team of ORC employees, ensures ORC's E-Library is maintained and updated.

### Ethics Liaison Responsibilities – 5%

As the Region 4 Contact for the National Ethics Program Tracker, provides administrative support to ORC attorneys, who serve on the Regional Ethics Team. Independently works with OGC Senior Counsel for Ethics in Headquarters to resolve any

regional database issues. As needed, works with regional managers to ensure incumbent training was completed and certificates were properly generated from the tracking system. Periodically runs reports for mail alerts regarding non-submission of late filing of forms. Answers procedural questions in accordance with established policies and procedures from regional filers. At the request of ethics team, coordinates the posting of ethics related messages on the Region 4 Intranet.

Reviews, mails, and files ethics team approval letters of incumbents' requests to participate in outside activities. Reviews available precedents for permission to participate in outside activities and informs ethics attorneys of results. Reviews approval and denial letters for signature by ethics attorneys and informs of any problems noted during review. Maintains an electronic library of approval/disapproval letters, ethics attorneys' advice, and information concerning a plethora of ethics topics. Consults and coordinates, as needed, with the Regional Ethics Manager who oversees the tracking system. Determines appropriate custodian of specific agency records.

## **Notary Public**

Duly appointed and sworn in as a Notary Public under the provision of O.C.G.A. Title 45, Ch. 17, Art. 1 as Amended (term of office is renewed every four years). Notarizes documents and performs notarial services for the regional office, as needed.

### III. <u>FACTORS</u>

#### Factor 1 Knowledge required by the Position

1-7 1250 points

- Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions. This knowledge and skill includes a broad and thorough knowledge of federal statutes and related rules, regulations and policies.
- Knowledge of legal research skills, including the most cost-efficient manner of information retrieval.
- Knowledge and skill to effectively plan, direct and coordinate the activities to respond to production requests. General knowledge of the civil discovery rules, privileges and case law, and of agency procedures and policies regarding records management.
- Knowledge of required electronic discovery and FOIA databases and IT tools, with sufficient expertise to train ORC attorneys and other regional staff on their use.
- Working knowledge of Freedom of Information Act (FOIA) requirements and procedures to perform analysis, evaluation and review of documents and train ORC and Regional personnel regarding FOIA and records management.

- Ability to analyze, weigh evidence, reach conclusions, and recommend decisions. Skill in organization to arrange large conferences involving multiple parties to resolve complex issues and requiring organization of documents. Skill in organizing and maintaining files.
- Ability to conduct interviews; recognize, explore and exploit leads; detect subtle
  discrepancies in information; distinguish between relevant and irrelevant information;
  and prepare reports.
- Skill in written and oral communications and in establishing priorities and deadlines.
- Skill in using standard data gathering and analysis techniques to collect and review technical information on environmental activities and to identify and solve problems or assist senior staff in solving problems.
- Skill in analytical and evaluative skills to judge the applicability of procedural requirements for administrative enforcement cases that the RHC handles under the various statutes and programs.
- Knowledge of the legal procedural requirements of the Clean Air Act, Clear Water Act, Emergency Planning and Community Right-to-Know Act, Safe Drinking Water Act, Toxic Substance Control Act, Federal Insecticide, Fungicide and Rodenticide Act, Resource Conservation and Recovery Act (including the regulations pertaining to these acts) and specific knowledge of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits at 40 C.F.R. Part 22.
- Knowledge of the legal procedural requirements of 40 Code of Federal Regulations (CFR) Parts 22, 24, and 124 (the regulations on administrative enforcement) and with the general nature of the statutory programs.
- Knowledge of agency Information Technology (IT) goals and objectives, the sequence and timing of key program events and milestones, and methods of evaluating the worth of program accomplishments.
- Skill in creating and maintaining large-scale Web sites and explaining and advocating innovative technologies and solutions through written, spoken and visual means.

#### **Factor 2 - Supervisory Controls**

2-4 450 points

Incumbent works independently, making independent judgments as to priority of work and case requirements. Proceed on own initiative and in accordance with Agency policies and practices, exercising personal knowledge and experience in planning and directing, organizing, and coordinating work to be accomplished by target dates.

Assignments are performed independently with latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and

supporting evidence; and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the immediate supervisor apprised of activities when controversial problems are encountered. Incumbent works with minimal supervision from case attorney and under pressure of court-imposed and regulatory time constraints.

#### Factor 3 Guidelines

3-3 275 points

Guidelines consist of agency directives, policies, and office procedures as well as policies governing statutes and other promulgated regulations, many of which change constantly. Applicable legislation and regulations, Headquarters and regional policy and directives, Memoranda of Understanding, and other pertinent reference and regulatory materials are used. These guidelines apply to the work but are stated in very general terms or apply only indirectly or in part to the problems in question. Incumbent is required to extract appropriate legal references from several guidelines and apply them to cases at issue.

#### Factor 4 – Complexity

4-4 225 Points

The work is complex and requires the ability to adapt readily to new or changing procedures and technologies and requires the incumbent to keep abreast of new case law, regulations and changing agency policies. The duties require the ability to interpret, research and apply case law, regulations, and policy to issues and cases assigned. Changes in the law and/or policy, or technologies. Require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required. The ability to work under pressure of tight time constraints is required. Work requires the ability to maintain confidentiality and ability to exercise judgment and discretion when working with information and documents concerning personal confidential matters.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, litigation, FOIA, employment, ethics and the criminal program. Oftentimes the requirements of the various statutes vary in format and methodology to carry out goals of the regulatory act. The work also involves understanding the often-subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent-with applicable Agency regulations, policies and guidelines.

As Regional Hearing Clerk, the incumbent performs various significant legal support functions in formal Agency administrative proceedings under many statutes and regulations. These functions require discretion and independent judgment on procedural matters in the application of specialized knowledge of EPA laws, regulations, program policies and administrative enforcement practice.

#### Factor 5 - Scope and Effect

5-4 225 Points

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Office of Regional

#### Counsel.

Incumbent serves as the focal point of paralegal expertise and assists in the preparation and response to civil discovery and FOIA requests and in the development of environmental cases or the defense of the Agency's actions, under the Clean Air Act; Federal Insecticide, Fungicide and Rodenticide Act; Toxic Substances Control Act; Emergency Planning and Community Right-to- Know Act; Clean Water Act; Safe Drinking Water Act; Resource Conservation and Recovery Act; and Comprehensive Environmental Response Compensation and liability Act, Freedom of Information Act or employment related laws and regulations.

The incumbent assists in the development of litigation reports. The purpose of this work is to investigate, plan, review, and recommend decisions on enforcement cases and to supplement the efforts the attorneys in this endeavor.

Incumbent researches unsettled issues of law and assists in the development of proposed Agency positions. The work involves-establishing criteria: formulating projects; investigating or analyzing a variety of unusual legal problems, issues or questions; resolving complex technical legal and administrative issues on a case-by-case basis that may lead to recommendations for enforcement action.

The work also affects the enforcement efforts of the region and the Agency. The work involves identifying, analyzing, and making recommendations to resolve problems and situations, some of which, are covered by established precedents and procedures. The work also involves establishing procedures and assessing program effectiveness and addressing a variety of conditions and questions that fall within incumbent's areas of responsibilities.

#### **Factor 6 - Personal Contacts**

Contacts include staff, supervisors and managers in the Office of Regional Counsel and Regional program offices both within Region 4 and across the Agency, the EPA Office of Administrative Law Judges, the EPA Environmental Appeals Board, the EPA Office of Enforcement and Compliance Assurance, the EPA Office of General Counsel, the EPA Cincinnati Finance Office, the Department of Justice, United States' Attorneys' Offices, clerks and staff of federal courts, private attorneys, members of the regulated community, private consultants, and the general public.

#### **Factor 7 - Purpose of Contacts**

3c 180 Points

The principal purpose of contacts with the regulated community will be to influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations, and to communicate regarding processing of FOIA responses. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial enforcement proceedings. The principal purpose of contact with representatives of federal, state and local government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests. Tact and diplomacy must be applied to influence uncooperative and skeptical persons and respondents who are often unfamiliar with the rules and regulations governing Agency policy.

The purposes of contacts related to Regional Hearing Clerk Responsibilities and other assigned duties are to discuss or advise on procedural and technical matters related to Regional Judicial Hearing clerk, FOIA, ethics, records management, data and tracking systems, and the administrative adjudication process. Incumbent proposes solutions to problems and recommends changes in methods and/or procedures. Good communication as well as tact and diplomacy must be applied in all circumstances. Tact and diplomacy must be applied in that respondents are often unfamiliar with the rules and regulations governing agency policy. Also attends hearings with members of the public.

#### **Factor 8 - Physical Demands**

**8-1 5 Points** 

The work is generally sedentary, requiring only ordinary physical activity common to an office environment, such as bending and stooping, inserting and extracting materials from files, and gathering published resources from the law library.

#### Factor 9 - Work Environment

9-1 5 Points

There is no significant risk for discomfort imposed by the physical surroundings. The incumbent works near co-workers, as in typical office arrangements. Visits to courthouses, libraries, or other places away from the usual workstation may be required. Travel by car or by commercial means may be required.

Total Points: 2615

Grade Point Range GS-11 2355-2750

# **Position Designation Record**

Department Large Independent agency (1000 or more employees)

Agency ENVIRONMENTAL PROTECTION AGENCY

Supplemental Duty

Position Title Paralegal Specialist

**Position Description** 

Series and Grade/Pay Band GS-0950-11
Position Description Number N095011

# **Final Position Designation and Investigation**

Sensitivity Level	Risk Level	Investigation	Form
Non-Sensitive	Moderate Risk	Tier 2	SF 85P

Label	Points
Total Initial Position Designation Points from Step 2	16
Adjusted Position Designation Points from Step 3	21

# **Summary**

# **National Security**

No national Security Duties

# Suitability

Duties	Degree of Potential for Compromise or Damage
Public safety and health services, regulation, enforcement, and protection (Food safety and inspection, occupational health and safety, transportation safety, environmental safety and hazard mitigation)	<ul> <li>Limited impact</li> <li>The position aids or supports the duties in this category; however, the responsibilities are so narrow in scope or carried out under such restrictive controls that the risk of violating the public's trust is very limited</li> </ul>
Protection of personal, private, controlled unclassified, or proprietary information-with the potential to damage the public's trust (includes access to or processing of personal information such as that protected by the Privacy Act (PA)	Moderate impact Access and control over personal, private, proprietary, or controlled unclassified information, the unauthorized disclosure of which could negatively impact the public's trust, through serious damage/harm to: • The integrity or efficiency of the service • Individuals or business entities

Duties	Degree of Potential for Compromise or Damage
of 1974, exempt from disclosure under the Freedom of Information Act (FOIA), financial data, or privileged information involving the award of contracts, contractor proprietary information, etc.)	Government programs or operations impacting the public's trust

# Adjustment for Scope of Program and Correlation to Extent of Impact

Program Scope and Impact	Impact
Adjustment for Scope of Program and Correlation to Extent of Impact	Agency Impact  • Program operations affect only one agency.  Misconduct or damage would have potential for a local impact on the agency, and/or the individuals or private entities affected by the agency.
Level of Supervision	Ability to act independently
Adjustment for level of supervision or other controls	Limited or no supervision - ability to act independently in almost all areas almost all of the time  Occasional review from a perspective of major policy issues by a superior who likely has no relevant expertise in the technical aspects of the duties performed.

Designator's Signature:		Date:
Designator's Name:	John Ellsworth	

OSITION DE	SCRIPTIC	N (Pleas	e Read I	nstructions or	the Ba	ick)			1. Agency	Position No.	
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15. Classified/Graded by		Official	Title of P			Pay Plan	Occupational Code	Sensitive Grade	Initials	Date	
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b.Department, Agency or Establishment	J										
c. Second Level Review .											
d. First Level Review											
Recommended by Supervisor or Initiating Office	Paralegal	Specia	list			CC	0050				
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8. Department, Agenc			(1)		c. Third	Subdivision		1			
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#### PARALEGAL SPECIALIST GS 0950-11

#### I. <u>INTRODUCTION</u>

This position is located in one of the legal offices of the Office of Environmental Accountability (OEA), Region 4, U.S. Environmental Protection Agency (EPA), Atlanta, Georgia. The incumbent serves as a Paralegal Specialist and works under the supervision of a Legal Office Chief.

#### II. MAJOR DUTIES AND RESPONSIBILITIES

- A. Searches legal cases, precedents, statutes, legislative history, regulations and governing policy, using any and all tools available. Prepares memoranda of law or other appropriate summary of findings to support conclusions reached, setting forth the issues researched and all applicable authority discovered. Conducts research at the request of other EPA personnel on a variety of legal issues.
- B. Prepares correspondence, complaints, motions, affidavits, orders, and briefs.
- C. Prepares recommended responses to discovery (e.g., drafts answers to interrogatories, or requests to produce, prepares witness for depositions, etc.), drafts interrogatories, motions to produce, etc.
- D. Prepares responses to FOIA requests, including searching for and reviewing potentially responsive documents, plus making direct contact with requesters to resolve vague or overly broad requests.
- E. Performs document organization, management and retrieval in connection with complex cases or, as appropriate, coordinates and/or oversees the performance of such tasks by a contractor. Also manages maintenance of and retrieval from databases set up for site specific information tracking.
- F. Gathers, tracks, examines, and evaluates evidence with respect to the liability and viability of parties for environmental violations. This includes reviewing correspondence from such parties and evaluation factual and legal defenses raised in such correspondence; and compiling and verifying volumetric information.
- G. Prepares Federal Register on a regular basis, selecting notices, promulgations, etc., of interest to the office; lists and prepares synopses of these items; and provides copies to the appropriate staff members when requested to do so.
- H. Reviews and serves as a resource with respect to memoranda, policy statements, guidance and guidelines from Headquarters office, and memoranda and opinion from the Office of General Counsel.

- I. Prepares reports and provides information on activities of OEA and Office in both narrative and statistical form for use by Office, OEA, Region, Headquarters and NEIC. This involves coordination with personnel from each of these offices. Interprets and develops information extracted from sources elsewhere in the Agency into a variety of formats. Assists in the resolution of site specific problems and questions resulting from actions taken by other offices in relation to these reports.
- J. Prepares monthly CERCLA reports receivable reconciliation report, resolving a variety of routine questions that may arise during this monthly process.
- K. Analyzes data, develops recommendations and justifications for the attorney(s). Continues to work with respect to liability and viability of potential defendants.
- L. Examines and evaluates information in case files with reference to Agency standards for case litigation worthiness and appropriate title of law.
- M. Determines the need for additional information, evidence, and witnesses, and plans a comprehensive approach to obtain this information.
- N. Interviews potential witnesses for information and prepares witnesses for court appearance.
- 0. Prepares charts, graphs, and tables for settlement meetings and litigation.
- P. Performs other related duties as assigned.

#### III. FACTORS

## Factor 1 Knowledge required by the Position

- Knowledge of general law.
- Knowledge of the legal aspects of environmental statutes or media area. Issues
  involving bankruptcy law, corporate successor liability, and other unanticipated
  matters may require research.
- An extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Office.
- Overall knowledge of legal references, Headquarters directives, precedent decisions, court decisions, and opinions applicable to the Agency.
- Knowledge of legal research skills, including the most appropriate and cost efficient manner of information retrieval.

## Factor 2 - Supervisory Controls

Incumbent generally works independently, making judgments as to prioritization of work. Supervision is needed only when uncommon and complex legal issues are necessary. Legal work is reviewed by an attorney for final legal interpretation, in accordance with legal requirements. Other work is reviewed for compliance with Agency policy.

### Factor 3 Guidelines

Guidelines include Agency policies, regulations, precedents and standard practices. Judgment is extremely relevant in determining proper case specific application of the guidelines.

#### Factor 4 - Complexity

The work is complex and requires the ability to adapt readily to new rules or procedures, and requires the judgment to be abreast of new case law, regulations, and policies. The duties require the ability to interpret and apply case law and Agency regulations to cases in litigation. The ability to participate in settlement conferences and hearings is also required.

#### Factor 5 - Scope and Effect

The work performed affects the efficiency of the entire Office of Environmental Accountability. The purpose of this work is to free the attorneys to perform other legal work and to supplement their efforts.

# Factor 6 - Personal Contacts

The incumbent works closely with all attorneys, other paralegal, CERCLA program staff such as Enforcement Project Managers, On-Scene-Coordinators, Remedial Project Managers, and contractors. In addition, the incumbent has contact with Headquarters, Department of Justice, U.S. Attorney offices, and with state and local government, and judicial officers. Contact with the outside counsel, court clerks, and the public is continuous.

# Factor 7 - Purpose of Contacts

Contacts within the Office and OEA involve ongoing activities and case work. Contacts elsewhere within the Region are for the purpose of acquiring necessary technical, factual, and compliance information to perform duties. Contacts with contractors are to obtain site specific information. Contacts with Headquarters are to gather information on cases, policy, regulation and other litigation matters. Contacts with the Department of Justice, U.S. Attorney Offices, state and municipal personnel and judicial officers relate to general and specific cases and litigation matters. Contacts with the public are for the purpose of answering factual questions or to gather information necessary to negotiate and settle cases.

Tact and diplomacy must be applied in that respondents are often unfamiliar with the rules and regulations governing agency policy. Also attends hearings with members of the public.

#### Factor 8 - Physical Demands

The work is generally sedentary, requiring only ordinary physical activity common to an office environment, such as bending and stooping, inserting and extracting materials from files, and gathering published resources from the law library.

#### Factor 9 - Work Environment

There is no significant risk for discomfort imposed by the physical surroundings. The incumbent works in close proximity to co-workers, as in typical office arrangements. Visits sometimes have to be made to courthouses, libraries, or other places away from the usual work station. Travel by car or by commercial means may be required.

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This position contain	is no co	ontract management duties per	r revie	m of DIL								

#### POSITION DESCRIPTION

#### PARALEGAL SPECIALIST GS-0950-09

#### INTRODUCTION

As a paralegal specialist in the Office of Regional Counsel, assists in the evaluation, development and litigation of environmental cases pertaining to all EPA statutes. Duties require the application of a specialized knowledge of laws, regulations, precedent decisions, agency policies, and judicial and administrative proceedings to multiple aspects of the agency's substantive mission.

#### MAJOR DUTIES AND RESPONSBILITIES

This position performs assignments that are designed to provide developmental experience for advancement. The duties are performed under closer supervision and involve more routine or conventional legal issues for which precedents have been established.

Conducts legal research on a variety of more conventional or common legal issues more routinely encountered in environmental legal work. Incumbent, searches legal cases, precedents, statutes, legislative history, regulations, and governing policy, using standard techniques and methods of legal research. Prepares

appropriate legal memoranda or other appropriate summary recommendations to support conclusions reached. Due to almost daily changes in regulations and case law, incumbent keeps abreast of changes in those areas of law which may affect the accuracy of current assignments.

Prepares legal documents, memoranda of law, interrogatories, motions to produce, complaints, consent orders, for the more routine judicial and administrative proceedings under all statutes as assigned by supervisor. Incumbent must coordinate these tasks with the case attorney, EPA technical staff, and state technical and legal staffs, when appropriate. This coordination is obtained through discussions and by examination and evaluation of information obtained in record and file reviews. Incumbent also assists in preparation of record in cases appealed to Regional Administrator or Circuit Court of Appeals by collecting and ordering all necessary documents and exhibits and preparing the index.

Analyzes and evaluates information received in conventional or the more routine reinforcement activities under all statutes for determining possible defendants and violations of laws and regulations and for use at trial. Incumbent selects, summarizes, compares and interprets information and compiles data.

Reviews reported case law as assigned by supervisor. Analyzes decisions, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions, and, as required, briefs and digests pertinent facts and principles for use by attorneys and disseminates new information.

Establishes and maintains general resource files by reviewing all memoranda, policy, statements, delegations, and guidelines, and opinions from Headquarters. As requested and when needed for research, searches resource files for material applicable to a specific problem. Assists Branch in implementation of policies and procedures by acting as a reference source in procedural matters.

Performs other duties as assigned.

Factor 1 - KNOWLEDGE REOUIRED BY THE POSITION Level 1-6 (950 Points) Knowledge of the principles, concepts, and methods of legal research and analysis sufficient to perform recurring case development and documentation assignments which are typically covered by established precedents. Knowledge of the litigation activities of the agency and of statistical techniques sufficient to gather and analyze data and to evaluate its usefulness in resolving legal issues.

Knowledge of interviewing techniques sufficient to interview potential witnesses, industry and union representatives, workers, and other sources of information and skill in developing evidence to support the agency's litigation activities.

Ability to communicate effectively and prepare legal briefs and summaries of analyses.

#### Factor 2 -SUPERVISORY CONTROLS

Level 2-3 (275 Points)

Work is assigned by the supervisor with deadlines, precedents, and objectives defined.

The employee independently carries out the assignments, including selection of methods, approaches, problem solving, and other related activities. The employee brings unprecedented problems and proposed solutions to the supervisor's attention.

Work is periodically reviewed for its applicability to the case under consideration, and for the soundness of the employee's decisions.

#### Factor 3 - GUIDELINES

Level 3-3 (275 Points)

Guidelines consist of applicable titles of the law, implementing regulations, agency manuals and directives, agency precedent decisions, court decisions, commercial legal publications, as well as appropriate issuances from other interested agencies.

The employee uses judgment in selecting and adapting guidelines to specific situations and cases and recommends changes in the manner of analyzing and preparing similar cases.

Factor 4 – COMPLEXITY

Level 4-3 (150 Points)

Assignments consist of a variety of analytical duties such as developing and carrying out plans to gather information through such means as interviews, review of reports, and surveys; analyzing the information collected; conducting legal research concerning precedents and past court decisions; checking citations; preparing evidence and exhibits; and developing and justifying recommendations.

Each assignment requires the paralegal specialist to select factfinding and research tools appropriate to the particular assignment in terms of types of data available, difficulty in obtaining data, time restraints, and the degree of expected cooperation from the particular firm or group being evaluated. These duties require the paralegal specialist to search for, isolate, evaluate the relevance of, and summarize available information and its usefulness in resolving issues.

#### Factor 5 - SCOPE AND EFFECT

#### Level 5-2 (75 Points)

The purpose of the work is to gather, arrange, analyze, evaluate, and control information and evidence needed for case processing.

Successful accomplishment of the work facilitates the work of trial attorneys in such matters as litigation and in achieving settlements, conciliations, or consent decrees. The accuracy of the paralegal specialist's activities contributes to the litigation worthiness of a case and the specialist's credibility as a trial witness.

#### Factor 6 - PERSONAL CONTACT

#### Level 6-3 (60 Points)

Contacts are with charging parties, respondents and their attorneys, company officials, court employees, officials of labor organizations, and others.

#### Factor 7 - PURPOSE OF CONTACT

#### Level 7-3 (120 Points)

Contacts are to obtain factual information; to advise on progress achieved in securing supportive case data; and to obtain information required for discovery including interrogatories, subpoenas, depositions, and other related tasks. The employee frequently must be persuasive or apply skillful interrogation to obtain necessary information required to support the agency's litigation, conciliation, settlement, and other program efforts. Individuals interviewed by the paralegal specialist in developing supportive case data may be hostile or try to avoid involvement.

#### Factor 8 - PHYSICAL DEMANDS

#### Level 8-1 (5 Points)

While much of the work is sedentary, there are occasional requirements for moderate physical activity, such as lifting stacks or boxes of records and for carrying heavy or unwieldy objects such as display easels into courtrooms for exhibits.

#### Factor 9 - WORK ENVIRONMENT

#### Level 9-1 (5 Points).

Work is generally conducted in an office atmosphere which is adequately lighted and climate controlled.

**TOTAL POINTS: 1915** 

PARALEGAL SPECIALIST

GS-0950-09

POINT RANGE (09): 1855 - 2100

# POSITION DESCRIPTION AMENDMENT

Employee:	Organization Location of Position: U.S. EPA - ORC, Multi-Media Branch I, Section 3								
Position Title: Paralegal Specialist	Series: GS- 950								
21st Century Information Technology Skills  I have carefully reviewed the qualifications of									
I have also reviewed the qualification of and she possesses the required 21 st century records management competency required by this position. The work includes the requirement of records management skill and knowledge for a law office and the application of related knowledge. The paralegal will use electronic records management technology systems as a tool that enhances the accomplishment of his/her assignments. This paralegal has the required knowledge of records management software applications applicable to the assignment area and skill in the use of records management software and hardware systems. The paralegal is a sophisticated manager of legal records.									
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Classifier's signature Date	Supervisor's signatu	Lignar)	7-2-18						

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<ul> <li>[2] Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position classification standards.</li> <li>[4] Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of the GSSG.</li> <li>[5] Management Official. Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10).</li> <li>[6] Lead Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part 1 of the Work Leader Grade Evaluation Guide (WLGEG) or is under a wage system and meets similar minimum requirements as specified by those job standards or other directives of the applicable pay system.</li> <li>[7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part 11 of the WLGEG.</li> <li>[8] All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position.</li> <li>9, SUPERVISORY CERTIFICATION 1 certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational</li> </ul>									
information is to be use statutes or their implem	to position is necessary to carry out gove d for statutory purposes relating to appoint	intment and payment of pu	blic funds, and that fal	se or misleading sta	iements may con	stitute violation	s s of such		
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b. Signature	. /	c. Date	e. Signature f. Date						
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11. REMARKS This position contains	s no contract management duties per	review of D							

#### POSITION DESCRIPTION

#### PARALEGAL SPECIALIST GS-0950-11

#### INTRODUCTION

The incumbent of this position serves as a paralegal specialist in the Office of Regional Counsel. As a paralegal specialist in the Office of Regional Counsel, provides assistance in the evaluation, development and litigation of environmental cases pertaining to all EPA statutes.

#### MAJOR DUTIES AND RESPONSIBILITIES

Assists in the evaluation, development and litigation of cases by performing the following duties:

- -- Examines and evaluates information in case files, with reference to agency standards for case litigation worthiness and appropriate titles of law;
- -- Determines the need for additional information, independent surveys, evidence, and witnesses, and plans a comprehensive approach to obtain this information:
- -- Through onsite visits, interviews, and review of records on operations, looks for and evaluates the relevance and worth of evidence;
- -- Selects, summarizes, and compiles comparative data to examine and evaluate respondent's deficiencies in order to provide evidence of illegal practices or patterns;
- -- Reviews economic trends and forecasts at the national and regional level to evaluate the impact of successful prosecution and potential remedial provisions of ongoing investigations and litigation;
- -- Identifies types of recordkeeping systems and types of records maintained which would be relevant to providing violations; gathers, sorts and interprets data from various record systems including computer information systems of business and labor organizations to substantiate questionable patterns of systemic discrimination in cases under investigation;
- -- Interviews respondents to obtain information on company practices. Interviews potential witnesses for information and prepares witnesses for court appearances;
- -- Develops statistics and tabulations, such as standard deviations, regression analyses, and weighting, to provide leads and supportive data for case litigation. Prepares charts, graphs, and tables to illustrate results;

- -- Analyzes data, develops recommendations and justifications for the attorney(s) who will take the matter to court. Continues to work with the attorney(s) during the progress of the case, obtaining and developing further evidence and exhibits, providing administrative assistance, and maintaining custody of exhibits, documents, and files; and
- -- May appear in court as a witness to testify concerning exhibits prepared supporting plaintiff's case.

#### Factor 1- Knowledge Required by the Position

Level 1-7 (1250 Points)

Knowledge of the application of various titles of law applicable to agency mission, Federal and State laws governing or impacting on the program, and significant national and local developments in the field; and knowledge of legal reference sources in agency manuals, directives, and issuances, computerized reference sources, court and/or administrative decisions and precedents, and commercial legal publications sufficient to perform extensive legal research into the legislative history, precedent cases, decisions, and opinions that may be applicable; to interpret, explain, and present, orally or in writing, relevant findings and conclusions using appropriate language, legal reasoning, and organization of facts and ideas; and to assist in case preparation.

Basic knowledge of statistical and mathematical concepts and processes to develop or evaluate statistical evidence.

A working knowledge of economic principles, theories, indicators, and statistics sufficient to use these as tools in analyzing industrial practices and in evaluating compliance initiatives.

### **Factor 2- Supervisory Controls**

Level 2-3 (275 Points)

Work is assigned by the supervisor with deadlines, possible precedents, and objectives defined.

Actual accomplishment of the work, including methods, approaches, problem solving, and other related functions is independently completed by the employee. Unprecedented problems or occurrences are generally brought to the supervisor's attention, along with proposed solutions.

Work is generally reviewed for its applicability to the case under consideration and for the soundness of decisions or conclusions. The methods used are not normally reviewed in detail.

#### Factor 3 - Guidelines

Level 3-4 (450 Points)

Guidelines are numerous, typical of those found in a law library, and consist of applicable legislation, court decisions, commercial legal publications, as well as agency manuals, directives, and precedent decisions and issuances from other interested agencies.

The specialist relies on a sense of current agency interests and priorities in determining the depth of analysis needed and the amount of time to spend in locating possible precedents. Guidelines are not

easily applied to the varied situations encountered, since they may only partially relate to the circumstances or may have been significantly limited in usefulness by later decisions or interpretations. The specialist's findings serve to modify and augment existing agency guidelines and provide the basis for new or modified evaluation criteria.

#### Factor 4 - Complexity

Level 4-4 (225 Points)

Performs a wide variety of duties involved in evaluating potential cases for investigation and prosecution.

The duties require the analysis of preliminary case files to determine appropriateness of prosecution in terms of agency litigation worthiness standards; evaluation of respondent's work force to determine presence of discriminatory practices or patterns; evaluation of the impact of successful prosecution and potential remedial provisions in terms of economic trends and forecasts; searching for and identifying recordkeeping systems which would clarify discriminatory practices; the examination, evaluation, and analysis of records; the preparation of recommendations with justifications, exhibits, statistics, etc.; interviewing respondents and witnesses; and drafting various legal documents such as interrogatories.

Considerable ingenuity is required in devising and adapting analytical approaches to the complexities of various recordkeeping systems encountered, or in coping with either the absence of data or the availability of vague data which does not directly provide the necessary information to determine suitability of evidence for establishing systemic discriminatory practices or to make recommendations on case litigation worthiness.

#### Factor 5 - Scope and Effects

Level 5-3 (150 Points)

Because of workload considerations, the volume of records involved, and the scheduling of hearings and court appearances outside the control of the agency, the employee often has the major responsibility for developing sufficient evidence, evaluating its relevance and worth, and briefing attorneys prior to hearings on appropriate findings and suggested approaches. The specialist's individual record of success in similar proceedings permits this kind of reliance.

The work affects the economic security of parties to the suit and, in some cases, contributes to changes in employment practices.

#### Factor 6 - Personal Contacts

Level 6-3 (60 Points)

Contacts are with charging parties, respondents and their attorneys, witnesses, company officials, and industry representatives. Contacts are maintained on a continuing basis with officers of courts, officials of labor organizations, and community groups.

#### Factor 7 - Purpose of Contacts

Level 7-3 (120 Points)

Contacts are to secure supportive case data and to obtain information needed to litigate cases through

direct or indirect means. Individuals dealt with may be uncooperative or even hostile to the Government's position, or unwilling to talk due to fear of reprisal or reluctance to be involved with the legal action.

#### Factor 8 - Physical Demands

Level 8-1 (5 Points)

Work is generally sedentary with no requirement for other than ordinary physical activity, such as bending and stooping to insert or extract files or carrying case folders from one office to another.

Factor 9 - Work Environment

Level 9-1 (5 Points)

Work is generally performed in an office, which is adequately lighted and climate controlled.

Paralegal Specialist GS-0950-11 POINT RANGE (11): 2540 TOTAL POINTS: 2540

### POSITION DESCRIPTION AMENDMENT

Employee:	Organization Location of Position: U.S. EPA - ORC, Multi-Media Branch I, Section 3							
Position Title: Paralegal Specialist	Series: GS- 950	- The state of the						
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<ul> <li>□ [2] Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position classification standards.</li> <li>□ [4] Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of the GSSG.</li> <li>□ [5] Management Official. Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of</li> </ul>											
Supervisor/  [5] Lead Posit  Grade Evalu	Manager tion lead: uation G	or the definition of Supervises a team performing one-gradule (WLGEG) or is under a vicable pay system.	or in S e inter	.U.S.C. 7103(a)(i val work and med	10). ets the minimum rec	nirements for ap	olication of Par	t I of the Wor	k Leader		
□ [7] Team Lead WLGEG. □ [8] All Other F	der. Pos Positions	ition leads a team performing  . Position does not meet any	of the	above definition	s. This is a non-supe	ervisor/non-mane	ngerial position.	•			
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11. REMARKS				~\/ -							
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# POSITION DESCRIPTION Paralegal Specialist

GS-0950-12

#### INTRODUCTION

As a Paralegal Specialist in the Office of Regional Counsel. assists in the evaluation. development and litigation of environmental cases pertaining to EPA statutes. Duties require the application of a specialized knowledge of laws. regulations, precedential decisions, agency policies, and judicial and administrative proceedings.

#### MAJOR DUTIES AND RESPONSIBILITIES

- Conducts legal research as deemed appropriate or as assigned by
  case attorney. Incumbent searches legal cases, precedents,
  statutes, legislative history, regulations and governing policy,
  using any and all tools available in legal research. The incumbent
  prepares memoranda or other appropriate summary to
  memorialize, research results and of applicable law and policy
  as requested by attorney or on own initiative and keep abreast of
  changes in environmental laws.
- 2. Prepares legal documents, memoranda of law, interrogatories, motions to produce, complaints, consent orders, for judicial and administrative proceedings under all statutes. Incumbent must coordinate these tasks with the case attorney and EPA technical staff. This coordination is obtained through discussions and by examination and evaluation of information obtained in record file reviews. Incumbent also assists in preparation of record in cases appealed 10 Regional Administrator or Circuit Court of Appeals and for administrative orders by collecting and ordering all necessary documents and exhibits and preparing the index.

Prepares FOIA responses and bills. If documents are to be withheld prepares privilege log stating legal bases for withholding. Keeps abreast of FOIA law and Agency FOTA policies.

- 3, Reviews documentary evidence to prepare site specific waste in lists and to determine the PRPs at Superfund sites.
- 4. Assists attorneys with settlement efforts, negotiations, and case resolution. Arranges for and may attend and participate in settlement conferences, meetings, and phone calls involving defendants, potential defendants, and their legal counsel.

Consults with and advises ORC attorneys and may prepare synopses or other analyses of evidence, discussions, and meetings directed toward settlement. Assists attorneys with phone calls, public meetings, and writing letters stating agency's positions and determinations regarding evidence. potential liability, and offered settlement. Assists attorney in coordinating finalization of consent decrees, drafting and publication of Federal Register public notices under CERCLA and responses to questions raised during public notice comment periods.

## FACTOR 1 - KNOWLEDGE REQUIRED BY THE POSITION Level 1-7 (1250 Points)

Knowledge and skill to effectively plan. direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions. This knowledge and skill includes: broad and thorough knowledge of all EPA statutes and regulations and numerous other federal and state laws.

Employee must have a general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

Ability to weigh evidence, reach conclusions, and recommend decisions.

Skill in organizing large conferences, involving multiple parties to resolve complex issues and requiring organization of documents.

Ability to conduct interviews; recognize, explore and exploit leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant information. prepare reports.

Ability to conduct independent on-site review of defendant's files and interviews with witnesses.

Knowledge of required data bases.

#### **FACTOR 2: SUPERVISORY CONTROLS**

Level 2-4 (450 Points)

Incumbent works independently, making independent judgments as to priority of work and case requirements. Proceeds on own initiative and in accordance with agency policies'm1d practices, exercising personal knowledge and experience in planning; and directing, organizing, and coordinating work to be accomplished by target dates.

Assignments are performed independently with latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the immediate supervisor-apprised of activities when controversial problems are encountered. Incumbent works with minimal supervision from case attorney and under pressure of court imposed time constraints,

#### **FACTOR 3: GUIDELINES**

Level 3-4 (450 Points)

Guidelines consist of agency directives, policies, and branch procedures as well as policies governing statutes and other promulgated regulations many of which change constantly.

Applicable legislation and regulations, Headquarters policy and directives and memoranda of understanding between EPA and other pertinent reference and regulatory materials are used. Theses guidelines apply to the work, but are stated in very general terms or apply only indirectly or in part to the problem in question. Incumbent is required to extract appropriate legal reference from several guidelines and apply them to cases at issue.

#### **FACTOR 4: COMPLEXITY**

Level 4-4 (225 Points)

Work required involves developing strategies for handling large (volume-wise) and complex legal assignments as dictated by individual case analysis. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches unsettled issues and assists in the development of proposed Agency positions. The work involves establishing criteria: formulating projects: assessing program effectiveness: or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal, technical and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

#### **FACTOR 5: SCOPE AND EFFECT**

Level 5-4 (25 Points)

In addition, incumbent works independently on a wide variety of information gathering activities apart from enforcement related manners that frees the attorneys from these tasks. This allows the attorneys to develop cases and provide advice to clients with greater efficiency.

#### **FACTOR 6: PERSONAL CONTACT**

Level 6-3 (60 Points)

Works closely with subordinates, regional attorneys, technical staff and other regional personnel. Also has contact with Headquarters. Department of Justice, U.S. Attorney offices, state and local government, contractors, and owners and operators officialities. Contact with the general public including potential defendants is continuous:

#### FACTOR 7: PURPOSE OF' CONTACT

Level 7-3 (120 Points)

Contacts are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate accourse of action, and to gather information necessary to negotiate and settle cases informally. Contacts rue made to convince respondent 9r others of the accuracy of factual, technical, procedural or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialist, including those of private industry and headquarters. Tact and diplomacy must be applied to influence uncooperative and skeptical persons and respondents who are often unfamiliar with the rules and regulations governing agency policy.

#### **FACTOR 8: PHYSICAL DEMANDS**

Level 8-1 (5 Points)

Work within the office is sedentary requiring only ordinary physical activity in an office, such as walking, bending, and stooping; although climbing and gathering documentation maybe required during investigative activities.

#### **FACTOR 9: WORK ENVIRONMENT**

Level 9-1 (5 Points)

Work is performed in an office setting in close proximity with coworkers as in a typical work environment. Visits sometimes have to be made to courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.

TOTAL POINTS: 2790 Paralegal Specialist

GS-0950-12

POINT RANGE (12): 2755 - 3150

POSITION DESCRIP	POSITION DESCRIPTION AMENDMENT									
Employee:	Organization Location of Position: U.S. EPA - ORC Multi-Media Branch I, Section 3									
Position Title: Paralegal Specialist	Series: GS-950	Grade:	PD Number:							
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24. Position Classification				Official Title	of Position	1		Pay Plan	Occupational Code	Grade	
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Paralegal Specialist					Stephanie James						
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28. Supervisory Certification Governmental functions for warm and that false or misleading s	thich i am respon	sible. This certifica	tion is made with k	nowledge that this I	Information	is to be used for s					
and that false or misleading statements may constitute violations of such statutes or their implementing  a. Typed Name and Title of Immediate Supervisor					b. Typed Name and Title of Higher-Level Supervisor or Manager						
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a. Typed Name and Title of Official Classifying the Position Diane J. Fox Fox, Lead HR Specialist				30. Position Classification Standards Used in Classifying/Grading Position							
DIANE FOX Digitally signed by DIANE FOX Date: 2019.12.11 13:16:41 -05'00'					Paralegal Specialist Series, GS-0950 TS-76 August 1986						
31. Remarks	, ,	***************************************			<u> </u>				200		

#### POSITION DESCRIPTION

#### Paralegal Specialist GS-0950-09

#### I. INTRODUCTION:

As a paralegal specialist in the Office of Regional Counsel consists in the evaluation, development and litigation of environmental cases pertaining to all EPA statutes. Duties require the application of a specialized knowledge of laws, regulations, precedent decisions, agency policies; and judicial and administrative proceedings to multiple aspects of the agency's substantive mission.

#### II. <u>DUTIES AND RESPONSIBILITIES:</u>

This position performs assignments that are designed to provide developmental experience. The duties are performed under closer supervision and involve more routine or conventional legal issues and/or ones for which precedents have been established.

- 1. Conducts legal research on a variety of more conventional or common legal issues of the kind more routinely encountered in environmental legal work. Incumbent searches legal cases, precedents, statutes, legislative history, regulations, and governing policy, using standard techniques and methods of legal research, then prepares appropriate legal memoranda or other appropriate summary/recommendations to support conclusions reached. Reviews all sides of issue and conclusions reached, detailing any issue raised as a result of research, and not previously encountered by employee. Due to almost daily changes in regulations and case law, incumbent necessarily keeps abreast of changes in those areas of law which may affect the accuracy of current assignments.
- 2. Prepares legal documents, i.e., memoranda of law, interrogatories, motions to produce, complaints, consent orders, for the more routine judicial and administrative proceedings under all statutes as assigned by supervisor. Incumbent must coordinate these tasks with the case attorney, EPA technical staff, and state technical and legal staffs, when appropriate This coordination is obtained through discussions and by examination and evaluation of information obtained in record and file reviews. Incumbent also assists in preparation of record in cases appealed to Regional Administrator or Circuit Court of Appeals by collecting and ordering all necessary documents and exhibits and preparing the index.
- 3. Analyzes and evaluates information received in conventional or the more routine reinforcement activities under all statutes for determining possible defendants and violations of laws and regulations and for use at trial. In so doing, incumbent selects, summarizes, compares and interprets information and compiles data from

- a variety of documents into format best suited to circumstances. Findings are closely coordinated with regional staff and Headquarters, Department of Justice and NEIC staffs where appropriate.
- 4. Arranges and attends settlement conferences, and other meetings involving counsel, evaluates proceedings and prepares synopsis of meeting or negotiations. Consults and suggests action resulting from conferences.
- 5. Prepares reports and provides information requested on ORC activities in both narrative and statistical formats for use by the Branch, Region, NEIC and Headquarters as needed. This involves coordination with personnel from each of these offices. Incumbent interprets and develops information extracted from sources maintained regularly by incumbent and from sources elsewhere in the agency.
- Reviews reported case law as assigned by supervisor. Analyzes decisions, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in, decisions and opinions and as required brief and digests pertinent facts and principles for use by attorneys and disseminates new information.
- 7. Reviews and interprets the <u>Federal Register</u> on a daily basis. Based on supervisory guidance, employee selects notices, promulgations, etc., of interest to Branch personnel; prepares a synopsis of these items. Maintains a card index, cross-referencing 40 C.F.R. sections with specific <u>Federal Register</u> publications, which provides an historical record of each regulation as well as its current status. Maintains source book of all pertinent Federal Register publications.
- Establishes and maintains general resource tiles by reviewing all memoranda, policy, statements, delegations, and guidelines, and opinions from Headquarters. As requested and when needed for research, searches resource files for material applicable to a specific problem. Assists Branch in implementation of policies and procedures by acting as a reference source in procedural matters.
- 9. Other duties as assigned.

#### FACTOR 1 - KNOWLEDGE REQUIRED BY THE JOB Level 1-6 (950 points)

Knowledge of the laws and regulations being implemented, important precedent decision, internal regional and Office of Regional Counsel policies, procedures and guidelines, formal judicial and administrative procedural requirements.

Skill in applying this knowledge to provide legal support to attorneys and management in the evaluation, development, litigation and resolution of routine aspects of complex or more conventional environmental cases.

Knowledge of all EPA statutes and regulations (Clean Air Act, Clean Water Act, Safe Drinking Water Act, Toxic Substances Control Act, Federal Insecticide, Fundicide, Rodenticide Act, Resource Conservation Recovery Act, Comprehensive Environmental Response and Liability Act) and numerous other federal and state laws.

Knowledge of pleadings and practice requirements of administrative agencies and courts to enable incumbent to prepare from established guidelines or supervisor's instruction such documents as may be needed in case development. These may include the Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, and Consolidated Rules of Practice.

Skill in research and analysis to determine the meaning, relevance, veracity and significance of various laws and facts; ability to weigh evidence, reach conclusions, and recommend decisions for supervisory review.

Skill in organization to arrange large conferences, involving multiple parties to resolve complex issues and requiring organization of documents.

Skill in communicating effectively, orally and in writing, in legal and technical terms, with coworkers, managers and employees at all levels of EPA as well as representatives of major corporations, state and local officials, environmental groups, etc.

#### **FACTOR 2 - SUPERVISORY CONTROLS**

**Level 2-3 (275 points)** 

The supervisor defines objectives, priorities, and deadlines and advises on more difficult work which does not have clear precedents. The employee independently performs work according to standard practices, guidelines, and established policy framework. Work in progress is not usually reviewed, but completed work is reviewed for technical soundness and conformance with agency policy.

#### **FACTOR 3 - GUIDELINES**

**Level 3-3 (275 points)** 

Guidelines consists of agency directives, policies, and branch procedures as well as policies governing statutes and other promulgated regulations many of which change constantly. Applicable legislation and regulations, Headquarters policy and directives and memoranda of understanding between EPA and other pertinent reference and regulatory materials are used. These guidelines apply to the work but are stated in very general terms or apply only indirectly or in part to the problem in question. Incumbent is required to extract appropriate legal references from several guidelines and apply them to cases at issue.

#### **FACTOR 4 – COMPLEXITY**

**Level 4-3 (150 points)** 

Employee researches, interprets, and applies a variety of statutes, agency regulation and policies, case law, precedents, facts, etc. to conventional or more routine legal issues and legal case work. Employee prepares legal documents including questions for depositions, interrogatories, and legal memoranda and summaries that support conclusions and recommendations. Assignments are characterized by: 1) several sources of information and interrelated facts, 2) general and/or

indirectly/partly applicable guidelines, 3) the need to use a variety of standard research techniques to discern all relevant facts, some of which are disputable, and 4) consultation with various officials to coordinate findings, legal proceedings, etc.

Decision requires comprehensive and accurate analysis of laws, facts, precedents, etc.; defining issues, arriving at sound conclusions and recommending a course of action. Standard analytical techniques must be modified somewhat to accomplish assignments and objectives.

#### **FACTOR 5 - SCOPE AND EFFECT**

**Level 5-2 (75 points)** 

The purpose of the position is to provide legal case development work which includes conducting legal research, analysis of data, preparation of legal documents, reviewing case law and making recommendations for resolution of legal cases and issues.

The work affects the effectiveness and efficiency of this office, assists in our objective of environmental protection and clean up of hazardous waste and enables ORC to initiate, maintain and resolve environmental cases.

Must be able to work under pressure caused by short deadlines, and multiple assignments.

#### FACTOR 6 - PERSONAL CONTACT

**Level 6-3 (60 points)** 

Works closely with the Branch and ORC staff, technical staff, and other regional personnel. Also has contact with Headquarters, Department of Justice, U.S. Attorneys Offices, state and local government. Contact with judicial officers and general public is continuous.

#### **FACTOR 7 - PURPOSE OF CONTACT**

**Level 7-3 (120 points)** 

Contact within the Branch and ORC directly involves ongoing activities and case work. Contact within the Region is for the purpose of acquiring necessary technical, factual, and compliance information. Contact with Headquarters is to gather general and specific information on cases, policy/regulations and other litigation matters. Contact with the Department of Justice, U.S. Attorneys office, state and municipal personnel and judicial officers relates to general and specific cases and general litigation matters. Contact with the public is to gather information necessary to negotiate and settle cases informally. Tact and diplomacy must be applied in that respondents are often unfamiliar with the rules and regulations governing agency policy.

#### **FACTOR 8 - PHYSICAL DEMANDS**

Level 8-1 (5 points)

Work is generally sedentary requiring only ordinary physical activity in an office such as bending and stooping, inserting and extracting material from files and gathering statutes and codes from law library.

#### FACTOR 9 - WORK ENVIRONMENT

# Level 9-1 (5 points)

Work is performed in close proximity with co-workers as in a typical work environment. The work area is adequately lighted, heated, and ventilated. Visits sometimes have to be made to courthouse or other places away from the usual workstation. Infrequent travel by commercial means is required.

TOTAL SCORE: 1915 Paralegal Specialist GS-0950-09

SCORE RANGE (09): 1855 - 2100

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Position Description Coversheet (Please read instructions on back				HARED SERVICE CENTER  1. Position No. U20009C			Incumbency Allocation Only?     May be IA'd				
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Paralegal Specialist					Stephanie James						
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28. Supervisory Certification Governmental functions for want that false or misleading s	hich i am respon	sible. This certification	in is made with ki	nowledge that this i	information is	this position and to be used for :	d ils organizational relati statutory purposes relatir	onships. The ng to appointm	position is necessary to ca ent and payment of public	any out funds,	
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Signature	11.			Date	Signature			***************************************	Date		
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Well Win				11/4/19	an	u Z	· Mul		17	5/19	
29. ClassificationIJob Grading Certification: I certify that this position has been classified/graded as required by Tille 5, U.S. Code, in conformation with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standard.				Information for Employees: The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management, Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or U.S. Office of Personnel Management.							
a. Typed Name end Title of Official Classifying the Position Diane J. Fox , Lead HR Specialist				30. Position Classification Standards Used in Classifying/Greding Position							
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#### POSITION DESCRIPTION

# Paralegal Specialist GS-0950-11

#### I. <u>INTRODUCTION:</u>

As a paralegal specialist in the Office of Regional Counsel consists in the evaluation, development and litigation of environmental cases pertaining to all EPA statutes. Duties require the knowledge of laws, regulations, precedent decisions, agency policies; and judicial and administrative proceedings to multiple aspects of the agency's substantive mission.

#### II. DUTIES AND RESPONSIBILITIES:

- 1. Conducts legal research on a variety of complex, difficult legal issues. Incumbent searches legal cases, precedents, statutes, legislative history, regulations, and governing policy, using any and all tools available in legal research, then prepares appropriate legal memoranda or other appropriate summary/recommendations to support conclusions reached. Reviews all sides of issue and conclusions reached, detailing any issue raised as a result of research, and not previously encountered by employee. Due to almost daily changes in regulations and case law, incumbent necessarily keeps abreast of changes in virtually all areas of law in which Branch is involved in order to maintain total accuracy.
- 2. Prepares legal documents, i.e., memoranda of law, interrogatories, motions to produce, complaints, consent orders, for the more routine judicial and administrative proceedings under all statutes as assigned by supervisor. Incumbent must coordinate these tasks with the case attorney, EPA technical staff, and state technical and legal staffs, when appropriate This coordination is obtained through discussions and by examination and evaluation of information obtained in record and file reviews. Incumbent also assists in preparation of record in cases appealed to Regional Administrator or Circuit Court of Appeals by collecting and ordering all necessary documents and exhibits and preparing the index.
- 3. Analyzes and evaluates information received in conventional or the more routine reinforcement activities under all statutes for determining possible defendants and violations of laws and regulations and for use at trial. In so doing, incumbent selects, summarizes, compares and interprets information and compiles data from a variety of documents into format best suited to circumstances. Findings are closely coordinated with regional staff and Headquarters, Department of Justice and NEIC staffs where appropriate.
- 4. Arranges and attends settlement conferences, and other meetings involving counsel evaluates proceedings and prepares synopsis of meeting or negotiations. Consults and suggests action resulting from conferences.

- 5. Prepares reports and provides information requested on ORC activities in both narrative and statistical formats for use by the Branch, Region, NEIC and Headquarters as needed. This involves coordination with personnel from each of these offices. Incumbent interprets and develops information extracted from sources maintained regularly by incumbent and from sources elsewhere in the agency.
- Reviews reported case law as assigned by supervisor. Analyzes decisions, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in, decisions and opinions and as required brief and digests pertinent facts and principles for use by attorneys and disseminates new information.
- 7. Reviews and interprets the <u>Federal Register</u> on a daily basis. Based on supervisory guidance, employee selects notices, promulgations, etc., of interest to Branch personnel; prepares a synopsis of these items. Maintains a card index, cross-referencing 40 C.F.R. sections with specific <u>Federal Register</u> publications, which provides an historical record of each regulation as well as its current status. Maintains source book of all pertinent <u>Federal Register</u> publications.
- Establishes and maintains general resource tiles by reviewing all memoranda, policy, statements, delegations, and guidelines, and opinions from Headquarters. As requested and when needed for research, searches resource files for material applicable to a specific problem. Assists Branch in implementation of policies and procedures by acting as a reference source in procedural matters.
- 9. Other duties assigned.

#### FACTOR 1 - KNOWLEDGE REQUIRED BY THE POSITION Level 1-7 (1250 points)

Knowledge of the laws and regulations being implemented, important precedent decision, internal regional and Office of Regional Counsel policies, procedures and guidelines, formal judicial and administrative procedural requirements.

Skill in applying knowledge of the laws and regulations to provide legal support to attorneys and management in the evaluation, development, litigation and resolution of routine aspects of complex or more conventional environmental cases.

Knowledge of all EPA statutes and regulations (Clean Air Act, Clean Water Act, Safe Drinking Water Act, Toxic Substances Control Act, Federal Insecticide, Fundicide, Rodenticide Act, Resource Conservation Recovery Act, Comprehensive Environmental Response and Liability Act) and numerous other federal and state laws.

Knowledge of pleadings and practice requirements of administrative agencies and courts to enable incumbent to prepare from established guidelines or supervisor's instruction such documents as may be needed in case development. These may include the Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, and Consolidated Rules of Practice.

Skill and ability in research and analysis to determine the meaning, relevance, veracity and significance of various laws and facts; ability to weigh evidence, reach conclusions, and recommend decisions for supervisory review.

Skill in organization to arrange large conferences, involving multiple parties to resolve complex issues and requiring organization of documents.

Skill in communicating effectively, orally and in writing, in legal and technical terms, with coworkers, managers and employees at all levels of EPA as well as representatives of major corporations, state and local officials, and environmental groups.

#### FACTOR 2 - SUPERVISORY CONTROLS

**Level 2-3 (275 points)** 

Incumbent generally works independently, making independent judgments as to priority work. Supervised by the Chief of the Branch and case attorneys as assigned is needed only when uncommon and complex legal issue interpretations are necessary. Work is reviewed for conformance with agency policy.

#### **FACTOR 3 - GUIDELINES**

**Level 3-4 (450 points)** 

Guidelines consists of agency directives, policies, and branch procedures as well as policies governing statutes and other promulgated regulations many of which change constantly. Applicable legislation and regulations, Headquarters policy and directives and memoranda of understanding between EPA and other pertinent reference and regulatory materials are used. These guidelines apply to the work but are stated in very general terms or apply only indirectly or in part to the problem in question. Incumbent is required to extract appropriate legal references from several guidelines and apply them to cases at issue.

#### **FACTOR 4 - COMPLEXITY**

**Level 4-4 (225 points)** 

Employee researches, interprets, and applies a variety of statutes, agency regulation and policies, case law, precedents, facts, etc. to conventional or more routine legal issues and legal case work. Employee prepares legal documents including questions for depositions, interrogatories, and legal memoranda and summaries that support conclusions and recommendations. Assignments are characterized by: 1) several sources of information and interrelated facts, 2) general and/or indirectly/partly applicable guidelines, 3) the need to use a variety of standard research techniques to discern all relevant facts, some of which are disputable, and 4) consultation with various officials to coordinate findings, legal proceedings, etc.

Decision requires comprehensive and accurate analysis of laws, facts, precedents, etc.; defining issues, arriving at sound conclusions and recommending a course of action. Highly developed

analytical and fact finding techniques are required in order to interpret and apply environmental laws which are characteristically ambiguous, complex, new, controversial and unprecedented.

#### **FACTOR 5 - SCOPE AND EFFECT**

**Level 5-3 (150 points)** 

The purpose of the position is to provide legal case development work which includes conducting legal research, analysis of data, preparation of legal documents, reviewing case law and making recommendations for resolution of legal cases and issues.

The work affects the effectiveness and efficiency of this office, assists in our objective of environmental protection and clean up of hazardous waste and enables ORC to initiate, maintain and resolve environmental cases.

Must be able to work under pressure caused by short deadlines, and multiple assignments.

#### FACTOR 6 - PERSONAL CONTACT

**Level 6-3 (60 points)** 

Works closely with the Branch and ORC staff, technical staff, and other regional personnel. Also has contact with Headquarters, Department of Justice, U.S. Attorneys Offices, state and local government. Contact with judicial officers and general public is continuous.

# **FACTOR 7 - PURPOSE OF CONTACT**

**Level 7-3 (120 points)** 

Contact within the Branch and ORC directly involves ongoing activities and case work. Contact within the Region is for the purpose of acquiring necessary technical, factual, and compliance information. Contact with Headquarters is to gather general and specific information on cases, policy'/ regulations and other litigation matters. Contact with the Department of Justice, U.S. Attorneys office, state and municipal personnel and judicial officers relates to general and specific cases and general litigation matters. Contact with the public is to gather information necessary to negotiate and settle cases informally. Tact and diplomacy must be applied in that respondents are often unfamiliar with the rules and regulations governing agency policy.

# **FACTOR 8 - PHYSICAL DEMANDS**

Level 8-1 (5 points)

Work is generally sedentary requiring only ordinary physical activity in an office such as bending and stooping, inserting and extracting material from files and gathering statutes and codes from law library.

#### **FACTOR 9 - WORK ENVIRONMENT**

Level 9-1 (5 points)

Work is performed in close proximity with co-workers as in a typical work environment. Visits sometimes have to be made to courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.

TOTAL POINTS: 2540 Paralegal Specialist

GS-0950-11

**POINT RANGE (11): 2355 - 2750** 

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#### POSITION DESCRIPTION

# Paralegal Specialist GS-0950-12

# I. <u>INTRODUCTION:</u>

As a paralegal specialist in the Office of Regional Counsel assists in the evaluation, development and litigation of environmental cases pertaining to all EPA statutes. Duties require the application of a specialized knowledge of laws, regulations, precedent decisions, agency policies; and judicial and administrative proceedings to multiple aspects of the agency's substantive mission.

# II. MAJOR DUTIES:

- 1. Conducts legal research as deemed appropriate or as assigned by case attorney. Incumbent searches legal cases, precedents, statutes, legislative history, regulations and governing policy, using any and all tools available in legal research. The incumbent prepares memoranda or other appropriate summary to memorialize research results and apprize attorney of applicable law and policy as requested by attorney or on own initiative. Keep abreast of changes in environmental laws.
- 2. Prepares legal documents, i.e., memoranda of law, interrogatories, motions to produce, complaints, consent orders, for judicial and administrative proceedings under all statutes. Incumbent must coordinate these tasks with the case attorney and EPA technical staff. This coordination is obtained through discussions and by examination and evaluation of information obtained in record and file reviews. Incumbent also assists in preparation of record in cases appealed to Regional Administrator or Circuit Court of Appeals and for administrative orders by collecting and ordering all necessary documents and exhibits and preparing the index.
- 3. Analyzes and evaluates information received in conventional or the more routine reinforcement activities under all statutes for determining possible defendants and violations of laws and regulations and for use at trial. In so doing, incumbent selects, summarizes, compares and interprets information and compiles data from a variety of documents into format best suited to circumstances. Findings are closely coordinated with regional staff and Headquarters, Department of Justice and NEIC staffs where appropriate.
- 4. Arranges and attends settlement conferences, and other meetings involving counsel, evaluates proceedings and prepares synopsis of meeting or negotiations. Consults and suggests action resulting from conferences.

- 5. Prepares reports and provides information requested on ORC activities in both narrative and statistical formats for use by the Branch, Region, NEIC and Headquarters as needed. This involves coordination with personnel from each of these offices. Incumbent interprets and develops information extracted from sources maintained regularly by incumbent and from sources elsewhere in the agency.
- Reviews reported case law. Selects and analyzes decisions, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in, decisions and opinions and as required brief and digests pertinent facts and principles for use by attorneys and disseminates new information.
- 7. Prepares referrals of cases for collection of civil penalties to the Department of Justice. The incumbent must draft a narrative summary of the case leading to the need for the collection action and a Complaint suitable for filing in district court. All necessary supporting documentation must be gathered and accompany the referral. Only cursory review of the referral by the case attorney is performed prior to referral.
- 8. Prepared motion to terminate consent decrees upon review of program office assessment that decree has been fully complied with and civil penalty paid. Case attorney reviews motion and incumbent refers motion and supporting evidence to the Department of Justice for filing in district court.
- 9. Regularly instructs other paralegals as needed to ensure their continuing development. Training offered is designed to familiarize new paralegal to the practice of law in a government law office and to bring new developments to the attention of peers.
- 10. Prepares cases for trail or hearing by assembling all documentary evidence, coordinating it with witness testimony and integrating it into a trial notebook.

These tasks may require use of a computerize data base, independent on-site review of defendant's files and interviews with witnesses. Incumbent must work with minimal supervision from case attorney and under pressure of court imposed time constraints.

# FACTOR 1: KNOWLEDGE REQUIRED BY THE POSITION Level 1-7 (1250 points)

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions. This includes a comprehensive, intensive and practical knowledge of the environmental field that enables incumbent to serve as a specialist in the management of enforcement cases.

Knowledge of criminal and civil provisions of environmental protection statutes and of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

Knowledge of business principles and techniques and ability to apply them in analyzing voluminous, complex and often incomplete books and records to find evidence.

Ability to conduct interviews; recognize, explore and exploit leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant information; prepare reports.

#### **FACTOR 2: SUPERVISORY CONTROLS**

**Level 2-4 (450 points)** 

Incumbent works independently, making independent judgments as to priority of work and case requirements. Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercising personal knowledge and experience in planning, and directing, organizing, and coordinating work to be accomplished by target dates.

Assignments are performed independently with broad latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the Associate Regional Counsel for the Air, Water, Toxics and General Law Branch, (Section Chief) apprised of activities when controversial problems are encountered. Work is reviewed for accomplishment of overall objective and adherence to Agency policy.

# **FACTOR 3: GUIDELINES**

**Level 3-4 (450 points)** 

Guidelines consist of Agency directives, policies and procedures as well as policies governing statutes and promulgated regulations, many of which change constantly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of a particular case or the nature of the problems encountered to solve issues in nonroutine situations. Incumbent plans, directs, advises and coordinates assigned activities and utilizes past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary widely to resolve complex or unusual problems.

#### **FACTOR 4: COMPLEXITY**

**Level 4-4 (225 points)** 

The work is complex and requires the ability to adapt readily to new or changing procedures and requires the incumbent to be kept abreast of new case law, regulations and policies. The duties require the ability to interpret, research and apply case law and agency regulations to cases in question. Unanticipated changes in the law and Agency policy require incumbent to be flexible and innovative. Work requires the interpretation, analysis and evaluation of unusually complicated legal matters. Incumbent drafts various legal documents, such as potential questions for depositions and interrogatories, subpoenas, and referrals for collection actions to DOJ and

prepares comprehensive reports which serve as the basis of regulatory, administrative or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences and hearings, is also required.

The work includes determining what needs to be done to successfully accomplish goals of eight major statutory acts pertaining to various environmental matters. Oftentimes the requirements of the various statutes a e different in format and methodology to carry out goals of the particular act. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Incumbent utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes varied duties requiring many different and unrelated processes and methods applied to a broad range of activities or substantial depth of analysis, typical for an administrative or professional field. Decisions regarding what needs to be done include major areas of uncertainty in approach, methodology or interpretation and evaluation processes resulting from such elements as continuing changes in program, technological developments, unknown phenomena or conflicting requirements. Incumbent develops and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work oftentimes involves complex cases which may require reconstruction of several years of events from circumstantial evidence and involves disputed factual technicalities.

#### FACTOR 5: SCOPE OF EFFECT

#### **Level 5-4 (225 points)**

The work performed affects the efficiency of the Air, Water, Toxics and General Law Branch of Regional Counsel. The purpose of the position is to provide a specialist to assist in the development of environmental cases pursuant to the Clean Air Act, Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Clean Water Act, the Safe Drinking Water Act, the Resource Conservation and Recovery Act and the Comprehensive Environmental Response, Compensation and Liability Act. The purpose of this work is to plan, review, negotiate and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to supplement their efforts.

The work required involves developing strategies for handling large (volume-wise) and complex legal assignments as dictated by individual case analysis. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches unsettled issues and assists in the development of proposed Agency positions. The work involves establishing criteria; formulating projects; assessing program effectiveness; or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal, conditions, problems or questions. Involves complex legal, technical and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

Work in the enforcement area is complex and it can affect the livelihood of persons and business. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other agencies.

In addition, incumbent works independently on a wide variety of information gathering activities apart from enforcement related matters that frees the attorneys from these tasks. This allows the attorneys to develop cases and provide advice to clients with greater efficiency.

# FACTOR 6: PERSONAL CONTACT Level 6-3 (60 points)

Works closely with subordinates, regional attorneys, technical· staff and other regional personnel. Also has contact with Headquarters, Department of Justice, U.S. Attorney offices, state and local government, contractors, and owners and operators of facilities. Contact with the general public including potential defendants is continuous.

# FACTOR 7: PURPOSE OF CONTACT Level 7-3 (120 points)

Contacts are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialist, including those of private industry and headquarters. Tact and diplomacy must be applied to influence uncooperative and skeptical persons and respondents who are often unfamiliar with the rules and regulations governing Agency policy.

#### FACTOR 8: PHYSICAL DEMANDS Level 8-1 (5 points)

Work within the office is sedentary requiring only ordinary physical activity in an office, such as walking, bending, and stooping, although climbing and gathering documentation may be required during investigative activities.

# FACTOR 9: WORK ENVIRONMENT Level 9-1 (5 points)

Work is performed in an office setting in close proximity with co-workers as in a typical work environment. Visits sometimes have to be made to courthouse or other places from the usual work station. Infrequent travel by commercial means is required.

TOTAL SCORE: 2790 Paralegal Specialist GS-0950-12

**POINT SCORE (12): 2755 - 3150** 

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4. SUPERVISOR'S PARALEGAL SPECIALIST RECOMMENDATION			GS	0950	12			
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work through combined technical and administrative direction of others and meets the requirements for coverage as described in the General Schedule Supervisory Guide.  [A] An individual (as defined in Section 7103(a)(10) of Title V of the U.S. Code) who is authorized to hire, direct, assign, promote, reward, transfer, lay off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or clerical in nature, but requires the consistent exercise of independent judgment.  [M] A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of duties outlined in the General Schedule Supervisory Guide. May also include deputies who fully share responsibility for managing the organization or who serve as an alter ego to the manager.  [B] A management official (as defined in Section 7103(a)(11) of Title V of the U.S. Code) who formulates, determines or influences an organization's policies. This means creating, establishing, or prescribing general principles, plans, or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies not just interpret laws and regulations give resource information or recommendations or serve as experts or highly trained professionals who implement or interpret the organization's policies and plans.  [T] "Team Leader" This position meets the requirements for coverage under Part II of the Work Leader Grade Evaluation Guide.  None of the above applies. This is a non-supervisory/non-managerial position.  9. SUPERVISORY CERTIFICATION I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible.								
funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.  a. Typed Name and Title of Immediate Supervisor Vawrence Andrews, Deputy Regional Counsel  b. Signature  c. Date  c. Date  f. Date  f. Date								
10. OFFICIAL CLASSIFICATION CERTIFICATION  C. Date 7 8 0 5 E. Signature 1. Date 3 8 05								
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(b) (6) Extramural Resources Management Duties (_% of time) Deth Hawkenson 3/16/05  This position is subject to random drug testing ( )  REMARKS Classified through accretion of Duties procedures and meets the requirements of EPA's Weit Promotion Plan.  New PD cover sheet reflects current supervisory controls and organizational structure.								

# Paralegal Specialist GS-950-12

#### INTRODUCTION

As a paralegal specialist in the Office of Regional Counsel, the incumbent assists in the preparation of documents and cases which may include those initiated under the following statutes: the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Freedom of Information Act (FOIA), Resource Conservation and Recovery Act (RCRA), Oil Pollution Act (OPA), the Criminal Enforcement Program, and other environmental and general laws. The incumbent is required to coordinate with personnel in a full range of program areas including the various media programs, the Department of Justice, the United States Attorney's Office and the EPA Office of Enforcement. Assists with or manages special technical and legal projects as assigned. Duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative proceedings to multiple aspects of the Agency's substantive mission.

#### **MAJOR DUTIES**

- 1. Under the direction of a regional attorney, conducts legal and factual research and collection, analysis and evaluation of evidentiary materials, and prepares appropriate legal memoranda using standard legal citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case. Findings are closely coordinated with regional attorney, program staff, and other personnel as appropriate. Initiates search for supportive material from a variety of sources on own initiative.
- 2. Assists regional attorney in preparation of discovery, pleadings and other documents for civil litigation, criminal proceedings and administrative actions. In so doing, incumbent selects, summarizes, compares, interprets and compiles data from a variety of documents into a format best suited to the specific requirements of a case. May assist regional attorney in judicial and administrative actions and/or represent the region at administrative hearings.
- 3. Prepares legal documents for administrative and judicial actions. Incumbent must coordinate the preparation of these documents with regional attorney and/or technical staff. This coordination consists of discussions with both the attorney, if applicable, and technical staff and examination and evaluation of information obtained orally and in record and file reviews.
- 4. Organizes and maintains files for current cases and obtains and reviews records, reports, correspondence and court documents. Evaluates and initiates comprehensive file system which allows for quick document retrieval. Coordinates with technical staff, contractors, courts, and others to obtain documents necessary for a current and accurate file system.

- 5. Responsible for answering requests under Freedom of Information Act (FOIA). Involves analysis, evaluation, review of documents, contact and coordination with Office of Regional Counsel (ORC), program personnel and Requestor while adhering to proper procedures specified under FOIA.
- 6. Acts as ORC contact for specialized areas of expertise which may include but are not limited to, bankruptcy, liens, certification, citizen suits, computer database (national, regional, and case specific), etc. Responsible for the administrative aspects of programs. Maintains and updates relevant information and acts as resource contact for region.
- 7. Assists ORC in qualifying, scheduling, interviewing, and selecting of new paralegals, paralegal interns and/or law clerks. Maintains and evaluates resumes of prospective candidates; assists and coordinates paralegal intern program, tracks workload, write evaluations and monitors progress of interns with ORC.
- 8. Maintains contact with other regional paralegals through networking and formalized structure. Assists in the coordination of formal national conferences which provide training, access to regional contacts, and participation in workgroups.
- 9. Serves as the Regional Hearing Clerk (RHC) and performs duties in support of the Chief Administrative Law Judge (ALJ) and the Region's two Regional Officers/Presiding Officers (RJOs/RPOs). The incumbent also serves as a legal instrument examiner which involves examining legal documents to determine whether they are complete and if the procedural and formatting requirements of various laws and regulations have been followed. The incumbent receives documents for filing as part of both Administrative and Procedure Act (APA) and non-APA proceedings, and under numerous federal laws with somewhat unique procedures, familiarity with a broad and diverse set of procedures is necessary.

# FACTOR 1: KNOWLEDGE REQUIRED BY THE POSITION

Knowledge and skill to effectively plan, direct and coordinate activities, and to conduct the review and evaluation of potential legal actions. Includes a comprehensive and practical knowledge of the environmental field that enables incumbent to serve as a specialist in the management of environmental cases.

Employee must have a general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

General knowledge of business principles and techniques and ability to apply them in analyzing complex and often voluminous and incomplete books and records.

Specific knowledge of the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodonticide Act

(FIFRA), the Resource Conservation and Recovery Act, the Freedom of Information Act (FOIA) and the regulations implementing these acts. Also requires specific knowledge of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits at 40 C.F.R. Part 22.

Specific knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

Ability to conduct interviews, screen candidates, supervise and monitor work product of interns.

Ability to conduct settlement negotiations in administrative cases and to participate in settlement negotiations in judicial cases.

Knowledge of the Administrative Procedure Act (APA) and non-APA Proceedings and under numerous Federal Laws with somewhat unique procedures, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits which covers actions under the federal statutes which authorize Administrative Procedure Act (APA) and non-APA proceeding that may be assigned to the RJOs/RPOs.

#### **FACTOR 2: SUPERVISORY CONTROLS**

Incumbent works under supervision of supervisor or case attorney, making independent judgments as to priority of work and case requirements. Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercises personal knowledge and experience in planning, directing organizing, and coordinating work to be accomplished by target dates and proposing settlement positions in administrative cases. Assignments are performed independently with broad latitude for the exercise of judgement in resolving technical and administrative problems, developing legal arguments, determining supporting evidence, and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the regional attorney or supervisor apprised of activities when controversial problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

#### **FACTOR 3: GUIDELINES**

Guidelines consist or Agency directives, policies, procedures and guidance, as well as policies governing statutes and promulgated regulations, many of which change frequently. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply, and deviate from traditional methods and practices as required either by the individualized nature of enforcement of a particular case or the nature of the problems encountered to solve issues in non-routine situations. Incumbent plans, directs, advises, and coordinates assigned activities

within the Branch(s) and where appropriate, within ORC and uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary with their guidelines widely to resolve complex or unusual problems.

### **FACTOR 4: COMPLEXITY**

The work is complex though often repetitive and requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations and policies. The duties require the ability to interpret, research and apply case law, agency regulations, guidance and policies to cases in question. Unanticipated changes in the law and Agency policy require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous documentation. Incumbent drafts various legal documents, such as questions for interrogatories, portions of PRNs or Litigation Reports, consent degrees, and bankruptcy Proof of Claim referrals to DOJ and prepares comprehensive memoranda which serve as the basis of regulatory, administrative or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions, and hearings is also required.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes pertaining to environmental enforcement. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various Acts. Incumbent interprets and evaluates disparate information gathered from a variety of source and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena or conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interpret incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from circumstantial evidence.

#### **FACTOR 5: SCOPE AND EFFECT**

The work performed affects the efficiency of ORC and has both implications for the enforcement efforts of the entire Region and other EPA Regions. The position provides a specialist to assist in the development of environmental cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, negotiate, and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness

of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency and is essential to case development.

The work involves developing strategies for handling complex and sometimes large legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other departmental agencies in the Federal, State, and local governments such as the Department of Justice (DOJ), state environmental Resources (PADER), and various town planning boards.

#### **FACTOR 6: PERSONAL CONTACT**

Works closely with regional attorneys, technical staff, and other regional personnel. Also has contact with Regional Offices, Headquarters, Department of Justice, U.S. Attorney offices, FBI, state and local government, and contractors. Contact with the general public is frequent.

#### **FACTOR 7: PURPOSE OF CONTACT**

Contact are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural, or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists, including those of private industry and headquarters. Good communications skills, as well as tact and diplomacy must be applied in all circumstances.

### **FACTOR 8: PHYSICAL DEMANDS**

Work within the office is sedentary requiring ordinary physical activity in an office settings, such as walking, bending, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation may be required during investigation activities.

# **FACTOR 9: WORK ENVIRONMENT**

Work is performed in an office setting in close proximity with co-workers. Additionally, a work station should be provided for the voluminous documents gathered during an investigation. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.

# ACCRETION OF DUTIES CERTIFICATION

Organization (Division/Branch/Section): Office of Regional Counsel, 6RC-D							
Position (Title, Series, Grade): Paralegal Specialist, GS-0950-12							
Position Description Nur	mber: $6-5-029$						
Employee's Name: Lore	ena Vaughn						
As supervisor of this position, I certify that:							
	he employee continues to perform the same basic functions while duties f the former position are absorbed into the new position;						
2) The additional duties and responsibilities assigned to or accrued be incumbent do not adversely affect or impact the grade controlling and responsibilities of other positions within the unit;							
	his redescribed position has no known promotion potential beyond the rade of the proposed non-competitive promotion; and						
4) Th	he employee is qualified for the reclassified position.						
IMMEDIATE SUPERVISOR:  Lawrence Andrews  TITLE: Deputy Regional Counsel							
REVIEWING OFFICIAL:							
	Elizabeth Hawkins TITLE: Personnel Management Specialist						

#### ACCRETION OF DUTIES STATEMENT

1. What makes this position more difficult/complex than the position being replaced?

This position has new duties which require specialized training for an electronic data system. Additional skills and knowledge are required due to the Enterprise Content Management System (ECMS) being implemented in EPA Region 6 which relates to all material filed with the Regional Judicial Officers.

2. What are the new duties, and from where did they come, i.e., change in mission, technological advancements?

Region 6 Office of Regional Counsel has implemented a new computer system regarding the management of documents filed in all administrative proceedings. The Enterprise Content Management System (ECMS) application allows the end-user community to collaboratively create, manage, deliver, and archive information that drives business operations, from documents, records, and discussion to email, web pages, and other media.

Two new Regional Judicial Officers (RJO) were appointed in Region 6. These new Judicial Officers utilize skills of a trained and certified paralegal. These new duties include drafting and finalizing legal documents and Administrative Orders. In addition, the Regional Hearing Clerk is now assisting in the scheduling of mediations of administrative enforcement actions where the RJO is the mediator.

This position is now the Senior Paralegal in the Equal Employment Opportunity (EEO) cases. The primary responsibility associated with these new duties include assisting and gathering information in preparation for hearing, assisting in response to discovery motions in judicial proceedings. New responsibilities include contacting the necessary people to obtain the information required for discovery, including interrogatories, subpoenas, depositions, and other related tasks.

3. What new authorities/responsibilities are vested in this position?

This position is now responsible for implementation of the new electronic data system (ECMS) which allows the end-user community to create, manage, deliver, and archive information that drives business operations, from documents, records, discussion to email, web pages, and other media.

The new duties consist of preparing draft orders and other legal documents. This responsibility requires knowledge to ensure proper form and content, consistent with current law regarding administrative proceedings as well as current format and content of legal documents.

This position is now responsible for scheduling mediations in some administrative proceedings. This requires coordination of the Regional Hearing Officer's schedule with that of at least two other parties and ensuring adequate space. It also requires assisting the mediator with locating and reviewing all relevant materials in preparation for the mediation.

This position is now the Senior Paralegal for EEO cases. This new assignment requires that an appropriate location for a hearing in various cities be located and reserved, and that a Court Reporter is ordered in advance for the hearing. In addition, this position must now contact Equal Employment Opportunity Commission (EEOC) judge's to ensure that they receive all documentation necessary for their hearings. This position must now assist in gathering information as part of the discovery process in judicial EEO cases. The position must now conduct legal research to help with the EEO officer's cases, make file's for the EEO cases and keep them up to date. When the case has settled, this position is responsible for collection and storage of the case files in such a manner as to be able to locate these files if the information is needed for a Freedom of Information Act (FOIA) request.

4. What duties, if any, were deleted; and if duties were deleted, who is performing them now?

#### None

5. If not previously being performed, how were these duties/responsibilities derived, i.e., now tasking, change in mission?

The new responsibilities regarding the ECMS were the result of new technology and assignment by the Regional Counsel for this position to take on these duties. The duties and responsibilities relative to the preparation of documents for the RJO and the paralegal for EEO cases are the result of new tasking by supervisors.

	ed States Environmental Protection Agency ION DESCRIPTION COVERSHEET	1. DUTY LOCATION Dallas, TX 2. POSITION NUMBER 6-1-017					
3. CLASSIFICATION	ACTION: a. Reference of Series and Date of Standards Use	d to Classify this Position					
		c. Service	d. Series	c. Grade	r. cr.c		
Official Allocation				0450	12	(46d1	
4. SUPERVISOR'S RECOMMENDATION	Paralegal Specialist	•	GS	0950	12		
5. ORGANIZATIONAL	6. NAME OF EMPLO	6. NAME OF EMPLOYEE Jacqueline Samuel					
7. ORGANIZATION (g	ive complete organizational breakdown)	-					
a. U.S. EN	VIRONMENTAL PROTECTION AGENCY	c.					
b. Region 6	, Office of Regional Counsel	r.					
c. Enforce	ment Branch I, 6RC-EW	g.				_	
d. Dallas,	TX	h. EPAYS Organizatio	on Code 9 (	696200			
of work through combined technical and administrative direction of others and meets the requirements for coverage as described in the General Schedule Supervisory Guide.    An individual (as defined in Section 7103(a)(10) of Title V of the U.S. Code) who is authorized to hire, direct, assign, promote, reward, transfer, lay off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or clerical in nature, but requires the consistent exercise of independent judgment.    IM  A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of duties outlined in the General Schedule Supervisory Guide. May also include deputies who fully share responsibility for managing the organization or who serve as an alter ego to the manager.    IB  A management official (as defined in Section 7103(a)(11) of Title V of the U.S. Code) who formulates, determines or influences an organization's policies. This means creating, establishing, or prescribing general principles, plans, or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies not just interpret laws and regulations give resource information or recommendations or serve as experts or highly trained professionals who implement or interpret the organization's policies and plans.    IT  "Team Leader" This position meets the requirements for coverage under Part II of the Work Leader Grade Evaluation Guide.   None of the above applies. This is a non-supervisory/non-managerial position.							
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II ''	e of Immediate Supervisor eting Branch Chief, Enforcement Branch I	d. Typed Name and Title of Second-Level Supervisor Suzanne Murray, Deputy Regional Counsel for					
b. Signature							
10. OFFICIAL CLASS	FICATION CERTIFICATION		$\triangle$			,	
a. This position has no promotion potential	☐ If position develops as planned and employee progresse satisfactorily, this position has known promotion potentia	s I to grade:	b. Fair Labor	Standards Act t 💽 Exempt	c. Funct	tional	
d. Bargaining Unit Code Unit Code  (b) (6)  Extramural Resources Management Duties (% of time)  This position is subject to random drug testing ()							
11, REMARKS							

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# Paralegal Specialist GS-950-12

#### INTRODUCTION

As a paralegal specialist in the Office of Regional Counsel, the incumbent assists in the preparation of documents and cases which may include those initiated under the following statutes: the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFR: Freedom of Information Act (FOIA), Resource Conservation and Recovery Act (RCRA), Oil Pollution Act (OPA), the Criminal Enforcement Program, and other environmental and general laws. The incumbent is required to coordinate with personnel in a full range of program areas including the various media programs, the Department of Justice, the United States Attorney's Office and the EPA Office of Enforcement. Assists with or manages special technical and legal projects as assigned. Duties require the application of a specialized knowledge of laws, regulations agency policies and judicial and administrative proceedings co multiple aspects of the Agency s substantive mission.

#### MAJOR DUTIES

- 1. Under the direction of a regional attorney, conducts legal and factual research and collection, analysis and evaluation of evidentiary materials, and prepares appropriate legal memoranda using standard legal citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case. Findings are closely coordinated with regional attorney, program staff, and other personnel as appropriate. Initiates search for supportive material from a variety of sources on own initiative.
- 2. Assists regional attorney in preparation of discovery, pleadings and other documents for civil litigation, criminal proceedings and administrative actions. In so doing, incumbent selects, summarizes, compares, interprets and compiles data from a variety of documents into a format best suited to the specific requirements of a case. May assist regional attorney in judicial and administrative actions and/or represent the region at administrative hearings.

- 3. Prepares legal documents for administrative and judicial actions. Incumbent must coordinate the preparation of these documents with regional attorney and/or technical staff. This coordination consists of discussions with both the attorney, if applicable, and technical staff and examination and evaluation of information obtained orally and in record and file reviews.
- 4. Organizes and maintains files for current cases and obtains and reviews records, reports, correspondence and court documents. Evaluates and initiates comprehensive file system which allows for quick document retrieval. Coordinates with technical staff, contractors, courts, and others to obtain documents necessary for a current and accurate file system.
- 5. Responsible for answering requests under Freedom of Information Act (FOIA). Involves analysis, evaluation, review of documents, contact and coordination with Office of Regional Counsel (ORC), program personnel and Requestor while adhering to proper procedures specified under FOIA.
- 6. Acts as ORC contact for specialized areas of expertise which may include but are not limited to, hankrupicy, liens, certification, citizen suits, computer database (national regional, and case specific), etc. Responsible for the administrative aspects of programs. Maintains and updates relevant information and acts as resource contact for region.
- 7. Assists ORC in qualifying, scheduling, interviewing, and selecting of new paralegals, paralegal interns and/or law clerks. Maintains and evaluates resumes of prospective candidates; assists and coordinates paralegal intern program, tracks workload, write evaluations and monitors progress of interns with ORC.
- 8. Maintains contact with other regional paralegals through networking and formalized structure. Assists in the coordination of formal national conferences which provide training, access to regional contacts, and participation in workgroups.

FACTOR 1: KNOWLEDGE REQUIRED BY THE POSITION Level 1-7 1250 paints

Knowledge and skill to effectively plan, direct and coordinate activities, and to conduct the review and evaluation of potential legal actions. Includes a comprehensive and practical knowledge of the environmental field that enables incumbent to serve as a specialist in the management of environmental cases.

Employee must have a general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

General knowledge of business principles and techniques and ability to apply them in analyzing complex and often voluminous and incomplete books and records.

Specific knowledge of the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodonticide Act (FIFRA); the Resource Conservation and Recovery Act, the Freedom of Information Act (FOIA) and the regulations implementing these acts. Also requires specific knowledge of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits at 40 C.F.R. Part 22.

Specific knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

Ability to conduct interviews, screen candidates; supervise and monitor work product of interns.

Ability to conduct settlement negotiations in administrative cases and to participate in settlement negotiations in judicial cases.

FACTOR 2: SUPERVISORY CONTROLS Level 2-4 450 points

Incumbent works under supervision of supervisor or case attorney, making independent judgments as to priority of work and case requirements. Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercises personal knowledge and experience in planning, directing organizing, and coordinating work to be accomplished by target dates and proposing settlement positions in administrative cases.

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FACTOR 3: GUIDELINES Level 3-4 450 points

Guidelines consist or Agency directives, policies, procedures and guidance, as well as policies governing statutes and promulgated regulations, many of which change frequently. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply, and deviate from traditional methods and practices as required either by the individualized nature of enforcement of a particular case or the nature of the problems encountered to solve issues in nonroutine situations. Incumbent plans, directs, advises, and coordinates assigned activities within the Branch(s) and where appropriate, within ORC and uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary with their guidelines widely to resolve complex or unusual problems.

FACTOR 4: COMPLEXITY Level 4-5 . 325 points

The work is complex though often repetitive and requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations and policies. The duties require the ability to interpret, research and apply case law, agency regulations, guidance and policies to cases in question. Unanticipated changes in the law and Agency policy require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous documentation. Incumbent drafts various legal documents, such as questions for interrogatories, portions of PRNs or Litigation Reports, consent degrees, and bankruptcy Proof of Claim referrals to DOJ and prepares comprehensive memoranda which serve as the basis of regulatory, administrative or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions, and hearings is also required.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes pertaining to environmental enforcement. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various Acts. Incumbent interprets and evaluates disparate information gathered from a variety of source and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena or conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interpret incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from circumstantial evidence.

FACTOR 5: SCOPE AND EFFECT Level 5-4 225 points

The work performed affects the efficiency of ORC and has both implications for the enforcement efforts of the entire Region and other EPA Regions. The position provides a specialist to assist in the development of environmental cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, negotiate, and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency and is essential to case development.

The work involves developing strategies for handling complex and sometimes large legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness,

and, or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other departmental agencies in the Federal, State, and local governments such as the Department of Justice (DOJ), state environmental Resources (PADER), and various town planning boards.

FACTOR 6: PERSONAL CONTACT Level 6-3 60 points

Works closely with regional attorneys, technical staff, and other regional personnel. Also has contact with Regional Offices, Headquarters, Department of Justice, U.S. Attorney offices, FBI, state and local government, and contractors. Contact with the general public is frequent.

FACTOR 7: PURPOSE OF CONTACT Level 7-3 120 points

Contact are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural, or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists, including those of private industry and headquarters. Good communications skills, as well as tact and diplomacy must be applied in allocircumstances.

FACTOR 8: PHYSICAL DEMANDS Level 8-1 5 points

Work within the office is sedentary requiring ordinary physical activity in an office settings, such as walking, bending, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation may be required during investigation activities.

FACTOR 9: WORK ENVIRONMENT

Level 4-1 5 points

Work is performed in an office setting in close proximity with co-workers. Additionally, a work station should be provided for the voluminous documents gathered during an investigation. Visits scmetimes have to be made to a courthouse or other places away from the usual work station. Infrequent travel by commercial means is required. Total points = 2890

#### ACCRETION OF DUTIES STATEMENT

# 1. What makes this position more difficult/complex than the position being replaced?

In order to ensure quality legal documents, the paralegal must have obtained a paralegal certificate. This requires additional education and certification. In addition, the paralegal is responsible for handling a large, diverse case load. The paralegal must be able to work independently and in a case team setting, frequently under very tight deadlines. Some of the duties involved in this postion which were not required in the previous position are that the paralegal:

- Conduct the necessary legal research when requested to for attorneys in preparation of briefs or motions.
- Arrange files in chronological order, include copies of pertinent documents, and obtain any necessary documents, enclosures or regulations before issuance of an administrative action or judicial referral.
  - Set up and maintain official legal files for civil judicial and administrative cases.

# 2. What are the new duties, and from where did they come, i.e., change in mission, technological advancements?

The new duties arose when the paralegal who previously held the position accepted an assignment in a different Division. Ms. Samuel is increasing her duties to meet the needs of the office. In addition to the duties described in number 2 above, Ms. Samuel will be responsible for:

- Maintaining and distributing updated case assignment lists for each attorney on a monthly basis;
  - Maintaining a tracking and tickler system on a monthly basis; and
- Responding to FOIA requests received by the Agency in a complete and timely manner.

#### 3. What new authorities/responsibilities are vested in this position?

The new duties require specific legal skills, education and credentials. In addition to the duties outlined in numbers 1 and 2 above, the paralegal is responsible for legal research and analysis and for working directly with staff attorneys and management on assignments and special projects.

4. What duties, if any, were deleted; and if duties were deleted, who is performing them now?

None. Ms. Samuel is under a completely new Position Description as a Paralegal and has all the responsibilities associated with that position.

5. If not previously being performed, how were these duties/responsibilities derived, i.e., new tasking, change in mission?

These duties were previously being performed by a person who accepted a position in a different Division.

Suzanne Murray/

Supervisor

Date

# ACCRETION OF DUTIES CERTIFICATION

Organization (Division/Branch/Section): Office of Regional Course)
Position (Title, Series, & Grade): Paralegal 65-950-12 Enfor
Position Description Number:
Employee's Name: Jackie Somue
As supervisor of this position, I certify that:
The employee continues to perform the same basic functions while duties of the former position are absorbed into the new position;
The additional duties and responsibilities assigned to or accrued by the incumbent do not adversely affect or impact the grade controlling duties and responsibilities of another position within the unit;
This redescribed position has no known promotion potential beyond the grade of the proposed noncompetitive promotion; and
4) The employee is qualified for the reclassified position.
TITLE Deputy Regional Course (for
REVIEWING OFFICIAL. Sexic officion 4.17-06

TITLE Personnel Management Specialist

	States Environmental Protection A N DESCRIPTION COVER		1. DUTY LOCATION Dallas, TX  2. POSITION NUMBER  0-1-017						
3. CLASSIFICATION AC	TION: a. Reference of Series and	Date of Standards Us.	d to Classify this Position	on PCS for	Series 9	150(8/86	) TS-76		
	0	b. Title	10	c. Service	d. Series	e. Grade	f. CLC		
Official Allocation	Varalegal,	Specialis	A	65	0950	12	491		
4. SUPERVISOR'S RECOMMENDATION	PARALEGAL SPECIALIST	/		GS	0950	12			
5. ORGANIZATIONAL T	TITLE OF POSITION (if any)		6. NAME OF EMPLOYEE JACKSON, LORI						
7. ORGANIZATION (give complete organizational breakdown)									
a. U. S. ENVIRONMENTAL PROTECTION AGENCY			e. 55 3 E						
b. Office of Re	gional Counsel		r. 93 = 19						
e. Enforcemen	nt Branch I (6RC-EW)		g.		至	50			
d. Dallas, TX	75202		h. EPAYS Organizat	ion Code - 9069	6200				
<ul> <li>[S] First or Second level supervisor: An individual who performs supervisory work and managerial responsibilities that require accomplishment of work through combined technical and administrative direction of others and meets the requirements for coverage as described in the General Schedule Supervisory Guide.</li> <li>[A] An individual (as defined in Section 7103(a)(10) of Title V of the U.S. Code) who is authorized to hire, direct, assign, promote, reward, transfer, lay off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or clerical in nature, but requires the consistent exercise if independent judgment.</li> <li>[M] A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of duties outlined in the General Schedule Supervisory Guide. May also include deputies who fully share responsibility for managing the organization or who serve as an alter ego to the manager.</li> <li>[B] A management official (as defined in Section 7103(a)(11) of Title V of the U.S. Code) who formulates, determines or influences an organization's policies. This means creating, establishing, or prescribing general principles, plans, or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies not just interpret laws and regulations give resource information or recommendations or serve as experts or highly trained professionals who implement or interpret the organization's policies and plans.</li> <li>[T] "Team Leader" This position meets the requirements for coverage under Part II of the Work Leader Grade Evaluation Guide.</li> <li>[None of the above applies. This is a non-supervisory/non-managerial position.</li> </ul>									
this information is to be us	position is necessary to carry out g sed for statutory purposes relating or their implementing regulations.	to appointment and pay							
a. Typed Name and Title of Marvin Benton, Branch (	of Immediate Supervisor Chief, Enforcement Branch I		d. Typed Name and T Charles J. Sheehan,				nt		
b. Signature  c. Date    Date   C. Date   C. Date   C. Date   1/25/01						7			
10. OFFICIAL CLASSIFI	CATION CERTIFICATION	1200	V	·					
a. X This position has no promotion potential.	☐ If position develops as planned satisfactorily, this position has kn			b. Fair Labor Nonexemp	Standards Act	c. Fund Code	etional		
Unit Code	k, if applicable: dical Monitoring Required ramural Resources Management E s position is subject to random dru		f. Signature	Davis	υ	g. Date	101		
11. REMARKS	50 50 50 50 50 50 50 50 50 50 50 50 50 5	3, 3, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2,			,	11			
11. REMARKS  PD cover sheet reflects current supervisory controls and organizational structure. No substantive changes to Fd.									

	nited States Environmental Protection Agency ITION DESCRIPTION COVERSHEET	1. DUTY LOCATION Dallas, TX  2. POSITION NUMBER  6-/-0/7							
3. CLASSIFICATION	ON ACTION: a. Reference of Series and Date of Standards Use	ed to Classify this Position	on						
	b. Title		c. Service	d. Series	e. Grade	f. CLC			
Official Allocation	Paralegal Specials	it	GS	0950	1.2	061			
4. SUPERVISOR RECOMMENDAT			GS	0950	12				
5. ORGANIZATIO	NAL TITLE OF POSITION (if any)	6. NAME OF EMPLOYEE Lor: Cackson, Stonley Taylor, Sandra Hardy, Dyiande Twike							
7. ORGANIZATIO	N (give complete organizational breakdown)	Hardly, Dyianale twike							
a. U. S. 1	ENVIRONMENTAL PROTECTION AGENCY	e.							
b. Offic	e of Regional Counsel	f.							
c.		g.							
d. Dall	as, TX 75202	h. EPAYS Organizati	on Code -						
lay off, s routine of routine of routine of routine of routine of routine of routine of routine of fully sha fully sha fully sha fully sha fully sha fully sha fully sha fully sha fully sha routine of and regu organiza [T] "Team L	idual (as defined in Section 7103(a)(10) of Title V of the U. uspend, discipline, or remove one or more employees, or effor clerical in nature, but requires the consistent exercise of inter who directs the work of an organization; is accountable for activities; and performs the full range of duties outlined in the responsibility for managing the organization or who serve gement official (as defined in Section 7103(a)(11) of Title V. This means creating, establishing, or prescribing general prof action for the organization. Management officials must act lations give resource information or recommendations or sertion's policies and plans.  Leader" This position meets the requirements for coverage untitle above applies. This is a non-supervisory/non-manageria	dependent judgment.  or the success of line of the General Schedule Se as an alter ego to the for the U.S. Code) who mappes, plans, or coursely participate in sharve as experts or highly there Part II of the World	r staff program upervisory Gu manager. formulates, d sees of action for uping the organ trained profe	ne exercise of ns; monitors, nide. May also etermines or a or an organiza nization's polissionals who	this responsi- evaluates, and include dep- influences and ation; or brin- icies not just implement o	d adjusts uties who organization ging about a interpret law			
relationships and the	CERTIFICATION I certify that this is an accurate statemental the position is necessary to carry out governmental functions to be used for statutory purposes relating to appointment and paratutes or their implementing regulations.	s for which I am respons	sible. The cert	ification is ma	de with the kr	nowledge that			
a. Typed Name and	Title of Immediate Supervisor	d. Typed Name and T	Title of Second-Level Supervisor						
b. Signature	c. Date 10/25/00  ASSIFICATION CERTIFICATION has  If position develops as planned and employee progres	Laurence E.		r Standards A	A TOTAL STREET	OO			
no promotion pote	ntial. satisfactorily, this position has known promotion poten	tial to grade:	Nonexem	pt X Exempt		~ _			
Unit Code	e. Check, if applicable:  ☐ Medical Monitoring Required  ☐ Extramural Resources Management Duties (% of time)  ☐ This position is subject to random drug testing ()	f. Signature	Ravi	Ó	g. Date	7/00			
11. REMARKS		777			7	/			

# Paralegal Specialist GS-950-12

#### INTRODUCTION

As a paralegal specialist in the Office of Regional Counsel, the incumbent assists in the preparation of documents and cases which may include those initiated under the following statutes: the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Freedom of Information Act (FOIA), Resource Conservation and Recovery Act (RCRA), Oil Pollution Act (OPA), the Criminal Enforcement Program, and other environmental and general laws. The incumbent is required to coordinate with personnel in a full range of program areas including the various media programs, the Department of Justice, the United States Attorney's Office and the EPA Office of Enforcement and Compliance Assurance. Assists with or manages special technical and legal projects as assigned. Duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative proceedings to multiple aspects of the Agency's substantive mission.

#### MAJOR DUTIES

- 1. Under the direction of a regional attorney, conducts legal and factual research and collection, analysis and evaluation of evidentiary materials, and prepares appropriate legal memoranda using standard legal citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case. Findings are closely coordinated with regional attorney, program staff, and other personnel as appropriate. Initiates search for supportive material from a variety of sources on own initiative.
- 2. Assists regional attorney in preparation of discovery, pleadings and other documents for civil litigation, criminal proceedings and administrative actions. In so doing, incumbent selects, summarizes, compares, interprets and compiles data from a variety of documents into a format best suited to the specific requirements of a case. May assist regional attorney in judicial and administrative actions and/or represent the region at administrative hearings.
- 3. Prepares legal documents for administrative and judicial actions. Incumbent must coordinate the preparation of these

documents with regional attorney and/or technical staff. This coordination consists of discussions with both the attorney, if applicable, and technical staff and examination and evaluation of information obtained orally and in record and file reviews.

- 4. Organizes and maintains files for current cases and obtains and reviews records, reports, correspondence and court documents. Evaluates and initiates comprehensive file system which allows for quick document retrieval. Coordinates with technical staff, contractors, courts, and others to obtain documents necessary for a current and accurate file system.
- 5. Responsible for answering requests under Freedom of Information Act (FOIA). Involves analysis, evaluation, review of documents, contact and coordination with Office of Regional Counsel (ORC), program personnel and Requestor while adhering to proper procedures specified under FOIA.
- 6. Acts as ORC contact for specialized areas of expertise which may include but are not limited to, bankruptcy, liens, certification, citizen suits, computer database (national, regional, and case specific), etc. Responsible for the administrative aspects of programs. Maintains and updates relevant information and acts as resource contact for region.
- 7. Assists ORC in qualifying, scheduling, interviewing, and selecting of new paralegals, paralegal interns and/or law clerks. Maintains and evaluates resumes of prospective candidates; assists and coordinates paralegal intern program, tracks workload, write evaluations and monitors progress of interns with ORC.
- 8. Maintains contact with other regional paralegals through networking and formalized structure. Assists in the coordination of formal national conferences which provide training, access to regional contacts, and participation in workgroups.

### FACTOR 1: KNOWLEDGE REQUIRED BY THE POSITION

Knowledge and skill to effectively plan, direct and coordinate activities, and to conduct the review and evaluation of potential legal actions. Includes a comprehensive and practical knowledge of the environmental field that enables incumbent to serve as a specialist in the management of environmental cases.

Employee must have a general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

General knowledge of business principles and techniques and ability to apply them in analyzing complex and often voluminous and incomplete books and records.

Specific knowledge of the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SWDA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Resource Conservation and Recovery Act, the Freedom of Information Act (FOIA) and the regulations implementing these acts. Also requires specific knowledge of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits at 40 C.F.R. Part 22.

Specific knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

Ability to conduct interviews, screen candidates, supervise and monitor work product of interns.

Ability to conduct settlement negotiations in administrative cases and to participate in settlement negotiations in judicial cases.

#### FACTOR 2: SUPERVISORY CONTROLS

Incumbent works under supervision of supervisor or case attorney, making independent judgments as to priority of work and case requirements. Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercises personal knowledge and experience in planning, directing organizing, and coordinating work to be accomplished by target dates and proposing settlement positions in administrative cases.

Assignments are performed independently with broad latitude for the exercise of judgement in resolving technical and administrative problems, developing legal arguments, determining supporting evidence, and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the regional attorney or supervisor apprised of activities when controversial problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

# FACTOR 3: GUIDELINES

Guidelines consist or Agency directives, policies, procedures and guidance, as well as policies governing statutes and promulgated regulations, many of which change frequently. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply, and deviate from traditional methods and practices as required either by the individualized nature of enforcement of a particular case or the nature of the problems encountered to solve issues in nonroutine situations. Incumbent plans, directs, advises, and coordinates assigned activities within the Branch(s) and where appropriate, within ORC and uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary with their guidelines widely to resolve complex or unusual problems.

#### FACTOR 4: COMPLEXITY

The work is complex though often repetitive and requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations and policies. The duties require the ability to interpret, research and apply case law, agency regulations, guidance and policies to cases in question. Unanticipated changes in the law and Agency policy require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous Incumbent drafts various legal documents, such as documentation. questions for interrogatories, portions of PRNs or Litigation Reports, Consent Decrees, and bankruptcy Proof of Claim referrals to DOJ and prepares comprehensive memoranda which serve as the basis of regulatory, administrative or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions, and hearings is also required.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes pertaining to environmental enforcement. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various Acts. Incumbent interprets and evaluates disparate information gathered from a variety of source and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an

administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena or conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interpret incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from circumstantial evidence.

#### FACTOR 5: SCOPE AND EFFECT

The work performed affects the efficiency of ORC and has both implications for the enforcement efforts of the entire Region and other EPA Regions. The position provides a specialist to assist in the development of environmental cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, negotiate, and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency and is essential to case development.

The work involves developing strategies for handling complex and sometimes large legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

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#### FACTOR 6: PERSONAL CONTACT

Works closely with regional attorneys, technical staff, and other regional personnel. Also has contact with Regional Offices, Headquarters, Department of Justice, U.S. Attorney offices, FBI, state and local government, and contractors. Contact with the general public is frequent.

#### FACTOR 7: PURPOSE OF CONTACT

Contacts are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural, or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists, including those of private industry and headquarters. Good communications skills, as well as tact and diplomacy must be applied in all circumstances.

#### FACTOR 8: PHYSICAL DEMANDS

Work within the office is sedentary requiring ordinary physical activity in an office settings, such as walking, bending, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation may be required during investigation activities.

#### FACTOR 9: WORK ENVIRONMENT

Work is performed in an office setting in close proximity with co-workers. Additionally, a work station should be provided for the voluminous documents gathered during an investigation. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.

(b) (6)

		States Environmental Protection Agency N DESCRIPTION COVERSHEET		1. DUTY LOCAT	TION nsas City,	, KS		osition num 3298カ	MBER
3. CLASSIFIC	CATION AC	TION: a. Reference of Series and Date of Sta	and ards Used	to Classify this Position	on				- 1
		b. Title	-/		c. Service	d. S	eries	e. Grade	f. CLC
Offici Allocat		Paralegal Specialist		n. Litt	GS	09	50	12	929
4. SUPERV RECOMMEN				1919				E.	
5. ORGANIZA	ATIONAL T	ITLE OF POSITION (if any)		6. NAME OF EMPL	OYEE Amy G	onza	les	HI FAIR	A Law Y
7. ORGANIZ	ATION (give	complete organizational breakdown)				9 13		HE E	311 1
a.	U, S. ENVII	RONMENTAL PROTECTION AGENCY		е.					
b. Region	7			f					
c. Office	of Reg	ional Counsel		g.					
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a. Typed Name	and Title of	Immediate Supervisor	124 7	d. Typed Name and T	itle of Second-Le	vel Sur	ervisor		v Fi
Becky Do	olph, De	eputy Regional Counsel	718	David Cozad,	Regional	Cour	sel		
b. Signature	4 Me	ph c. Date 12/16	108	e. Signature	g/			f. Date 12/16/0	+
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d. Bargaining Unit Code (b) (6)	☐Med ☐Extr	, if applicable: ical Monitoring Required amural Resources Management Duties (	% of time)	f. Signature  Myslum	n Tyml	,		g. Date	8
11. REMARKS	3			10					

P	OSITION DESC	CRIPTION AME	NDMENT
EMPLOYEE NAME	ORGANIZATIOI	N LOCATION OF POS	ITION
Amy Gonzales	Region 7 - 0	Office of Regional	Counsel – Immediate Office
POSITION TITLE	SERIES	GRADE	POSITION NUMBER
Paralegal Specialist	0950	12	0032987
AMENDMENT			

Assists regional employment law attorneys and Labor and Employee Relations in substantive legal research, drafts memorandums, prepares materials for hearing, and transcribes fact finding interviews in support of the regions labor and employee relations functions. This work inherently includes access to sensitive labor and employee relations information and may include involvement in discussion of strategy and development of legal arguments (attorney-client privileged information).

CLASSIFIERS SIGNATURE	DATE	SUPERVISOR'S SIGNATURE	DATE
BARBARA MORWESSEL Date: 2019.03.19 07:03:06	''	Rescutturon	3-12-2019
EPA FORM 3150-8"(9-73)		Printed on Red	cycled Paper

# PARALEGAL SPECIALIST PD 3228 (GS-950-12)

Introduction - This paralegal specialist position is located in the Office of Regional Counsel. The incumbent is instrumental in the development, preparation, enforcement and settlement of cases initiated under EPA's regulatory programs, including cases under the Clean Air Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation Act, the Clean Water Act, the Safe Drinking Water, and the Oil Pollution Act, as well as under EPA's criminal enforcement program. The incumbent also is instrumental in the development, preparation, enforcement and settlement of cases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The incumbent is required to coordinate with a full range of program areas including the program offices, Criminal Investigation Division, the Office of External Programs, EPA Headquarters, the Department, of Justice and as necessary the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission.

#### Major Duties -

- 1. Under the direction of a regional staff attorney, prepares administrative actions under regulatory programs, including drafting correspondence and legal documents; preparation of administrative records; supporting negotiations; coordinate the preparation of the legal documents with the regional attorney and, as appropriate, the regional technical staff. This coordination includes discussion, examination and evaluation of information obtained from a variety of resources.
- 2. Assists the regional staff attorney in preparation for administrative and civil litigation including drafting correspondence, drafting the litigation report consistent with guidance, preparation of discovery documents, pleadings, affidavits, motions to dismiss motions for summary judgment and other documents. In so doing, the incumbent selects summarizes, compares, interprets and compiles data, information and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Con legal research on a variety of legal issues and provides statutory interpretation by research statutes, legislative history, policy and guidance. Prepares legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search.
- 3. Organizes and maintains files for complex cases. Obtains and reviews re reports, correspondence and court documents. Evaluates and initiates comprehensive files which allows for quick document retrieval. Coordinates with technical staff, contractors and others to obtain documents necessary for a current and accurate file system.

- 4. Responsible for answering requests under the Freedom of Information Act (FOIA). Performs analysis, evaluation and review of documents, contacts and coordinates with other office of Regional Counsel personnel, program personnel, OGC personnel and the requestor, as appropriate, while adhering to the procedures specified under FOIA.
- 5. Provides investigative or technical support in civil/criminal matters. Investigates facts concerning violations of federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilized sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, various information gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interview fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit.
- 6. Prepares for, attends and participates in conferences with industry representatives, state or local officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with the federal judge or magistrate and meetings related to cases such as public meetings. Prepares for grand-jury presentations and attends and assists at trial.
- 7. Reviews reported case law. Selects and analyzes decision, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.
- 8. Conducts legal research on a variety of legal issues. Provides statutory and regulatory interpretation for Agency personnel by researching statutes, legislative history, regulations and governing policy. Prepares appropriate legal memoranda or other appropriate summary to support conclusions reached, reviewing all sides of issues raised as a result of research. Initiates search for supportive material on own initiative from the variety of sources.
- 9. Acts as a resource and mentor for other paralegals within the Office of Regional Counsel: Maintains contact with other regional paralegals through networking and formalized structure.
- 10. Performs other duties as assigned.

# Factor 1 - Knowledge Required by the Position -

Level 1-7 - 1250 Points

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions.

A general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

A general knowledge of business principles and techniques and ability to apply them in analyzing voluminous, complex and often incomplete records.

Ability to conduct interviews; recognize, explore and develop leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant.

Ability to use Westlaw and other computer assisted legal research tools as well as traditional law library case books, reporters and trade publications.

Skill in written communication, to prepare reports, memoranda and affidavits; all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

#### Factor 2 - Supervisory Controls -

Level 2-4 - 450 Points

Incumbent works independently, making independent judgments as to priority of work and case requirements.

Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercising personal knowledge and experience in planning, and directing, organizing and coordinating work to be accomplished by target dates. Assignments are performed independently with broad latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the Associate Regional Counsel for Regulatory Programs apprised of activities when problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

#### Factor 3 - Guidelines -

Level 3-4 - 450 Points

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations, many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered, incumbent plans, directs, advises and Coordinates assigned activities with the Regulatory Programs Branch and, where appropriate, within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations May vary from the guidelines and incumbent must use specialized knowledge, of regulatory programs and previous experience.

# Factor 4 - Complexity -

**Level 4-4 - 225 Points** 

The work is complex and requires the ability to adapt readily to new or changing procedures or requires the incumbent to keep abreast of new case law, changes to regulations and changing agency policies. The duties require the ability to interpret, research and apply case law and policy to issues and cases assigned. Changes in the law and/or policy require incumbent to be

perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, FOIA, and the criminal program. Oftentimes the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of a professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technical developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative technique and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstructive of events from circumstantial evidence.

# Factor 5 - Scope & Effect -

Level 5-4 - 225 Points

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Branch and the Office of Regional Counsel. The incumbent develops and assists in the development of litigation reports. The purpose of this work is to investigate, plan, review, and recommend decisions on enforcement cases and to supplement the efforts of the attorneys in this endeavor.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. Incumbent advises attorneys and program staff an interpretation of findings and highly specialized problems of case development.

Incumbent researches unsettled issues of law and assists in the development of proposed positions. The work involves establishing criteria; formulating projects; investigating or analyzing a variety of unusual legal problems, issues or questions; resolving complex technical legal and administrative issues on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other department or agencies in the federal, state

and local governments.

### Factor 6 - Personal Contacts -

Level 6-3 - 60 Points .

Personal contacts include meeting with other employees of Region VII, other EPA regional offices, EPA Headquarters, the Department of Justice, state and local governments and the regulated community. Contacts with the regulated community may include corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated community. On occasion, personal contacts may also include staff of Congressional members and staff of elected representatives of state and local governments.

#### Factor 7 - Purpose of Contacts -

Level 7-3 - 120 Points

The principal purpose of contacts with the regulated community will be influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations. Incumbent may be requested to participate in public meetings; information sessions, and administrative and judicial enforcement proceedings. The principal purpose of contact with representatives of federal, state and local government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests.

#### Factor 8 - Physical Demands -

Level 8-1 - 5 Points

Most of the work is sedentary. No special physical demands are required other than ordinary physical activity in an office setting, such as walking, standing, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation as may be required during investigation activities. On occasion, the paralegal will be required to travel in connection with case assignments and/or training.

#### Factor 9 - Work Environment -

Level 9-1 - 5 Points

Work environment involves the normal risk s and discomforts typical of an office environment. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Travel by commercial means may be required.

Total Points = 2790(2755-3150 = GS-12)

#### ADDENDUM TO ALL POSITION DESCRIPTIONS IN REGION 7

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RISK DESIGNATION (Complete the attached Risk Designation Form) Risk Level: LR Computer-ADP: LR	
Minimum Investigation: NACI	th y
Adjustment for Uniqueness and Uniformity: N/A	1.
Regional Security Officer: 1 Mel Schulls	
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Gester Me Sh 12/16/08	Alle .
Supervisor Signature Date	
Muslaum Misunol	Review
Classification Special(st)  Date	
(Attached to Original Position Description)	•

OPF

	I States Environmental Protection Agency ON DESCRIPTION COVERSHEET	1. DUTY LOCAT Kansas City, Kans		2. PG	OSITION NUI	MBER
3. CLASSIFICATION A	CTION: a. Reference of Series and Date of Standards U.	sed to Classify this Posi	tion			
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Official Allocation	PARALEGAL SPECIALIST		GS	950	12	929
4. SUPERVISOR'S RECOMMENDATION						रा छहाएँ । १
5. ORGANIZATIONAL	TITLE OF POSITION (if any)	6. NAME OF EMPL	OYEE	k-a	nna	<del></del>
7. ORGANIZATION (gi	ve complete organizational breakdown)					
a. U.S. ENVIRONM	IENTAL PROTECTION AGENCY, REGION VII	с.				
b. OFFICE OF ENFO	DRCEMENT AND COMPLIANCE ASSURANCE	r.				
c. OFFICE OF REG	IONAL COUNSEL	g.			•	
d. ANY BRANCH		h. EPAYS Organizat	ion Code			
General Schee  [A] An individual transfer, lay of responsibility  [M] A manager will program active fully share results organization's bringing about not just interpresent or [T] "Team Leader X [N] None of the allowed in the second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second s	gh combined technical and administrative direction of coule Supervisory Guide.  (as defined in Section 7103(a)(10) of Title V of the U. Iff, suspend, discipline, or remove one or more employed is not routine or clerical in nature, but requires the control of directs the work of an organization; is accountable for ities; and performs the full range of duties outlined in the sponsibility for managing the organization or who serve at official (as defined in Section 7103(a)(11) of Title V is policies. This means creating, establishing, or prescribut a course of action for the organization. Management aret laws and regulations give resource information or reinterpret the organization's policies and plans.  This position meets the requirements for coverage unbove applies. This is a non-supervisory/non-manageria	S. Code) who is authouses, or effectively reconsistent exercise of independent of the success of line of the General Schedule Seas an alter ego to the of the U.S. Code) who ing general principles, officials must actively ecommendations or seader Part II of the World position.	rized to hire, di mmend such ac ependent judgm or staff program supervisory Gui manager. o formulates, do plans, or cours participate in s rve as experts of k Leader Grade	irect, assign, pation. The exement.  Is; monitors, coide. May also etermines or in the ses of action for highly train are Evaluation Comments.	promote, rewardercise of this evaluates, and include depunfluences and or an organization's ed profession Guide.	ard, d adjusts aties who eation; or policies aals who
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	of Immediate Supervisor P, REGIONAL COUNSEL	d. Typed Name and T DENNIS GRAMS, P.E				
b. Signature	8:56eincan 2/16/00	e. Signature	Seuf	Du	f. Date	
10. OFFICIAL CLASSIF	ICATION CERTIFICATION		/_	~		
a. This position has no promotion potential.	☐ If position develops as planned and employee progress satisfactorily, this position has known promotion potent		b. Fair Labor			tional OO
Unit Code	ck, if applicable: dical Monitoring Required ramural Resources Management Duties (% of time) s position is subject to random drug testing ()	f. Signature	<u>\</u>	ر ور	g. Date 2/ /16/	00
11. REMARKS						

WP 8.0 Version of EPA Form 3150-1(Rev 1/1999)

### **INSTRUCTIONS**

# I. ITEMS

- 1) DUTY LOCATION: Show the geographical location of the position, e.g., Washington D.C., New York, NY, etc.
- 2) POSITION NUMBER: To be completed by Human Resources Office.
- 3) CLASSIFICATION ACTION: To be completed by Human Resources Office.
- 4) SUPERVISOR'S RECOMMENDATION: Show the title service (GS, WG, etc) series and grade recommended by the supervisor.
- 5) ORGANIZATIONAL TITLE: Indicate the organizational title of the position if any, e.g., Division Director, Team Leader, etc.
- 6) NAME: Name of Employee. If vacant, indicate "vacancy."
- 7) ORGANIZATION: Show the organizational designation of the position starting with the first subdivision under the EPA. Indicate the official organizational code for the lowest approved organization.
- 8) SUPERVISORY/MANAGERIAL DESIGNATION: To be completed by immediate supervisor.
- 9) SUPERVISORY CERTIFICATION: To be certified by the first and second line supervisors who are delegated the responsibility for assigning and reviewing work. Reference appropriate delegations, manuals, and guidelines for limitations on signatory authority. Approval by second line supervisors is not required if the immediate supervisor is an Assistant Administrator, Regional Administrator or Laboratory Director. Signing the position description is an important responsibility; any intentional false or misleading statement in this description or willful misrepresentation thereto is a violation of the law punishable by a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both (18 U.S.C. 1001).
- -10) OFFICIAL CLASSIFICATION CERTIFICATION: To be completed by Human Resources Office.
- 11) REMARKS: To be completed by Human Resources Office.

# II. ADDITIONAL INSTRUCTIONS

Type the duties and responsibilities of this position on plain bond paper and attach to this form-

For specific instructions on how to complete this form, please contact your servicing Human Resources Office.

# III. DISTRIBUTION

Original to official position description file in the Human Resources Office. Copy to Official Personnel Folder (OPF) Copy to Employee

# PARALEGAL SPECIALIST GS-950-12

#### I. Introduction

This paralegal specialist position is located in the Office of Regional Counsel, The incumbent is instrumental in the development, preparation, enforcement and settlement of cases initiated under EPA's regulatory programs, including cases under the Clean Air Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation Act, the Clean Water Act, the Safe Drinking Water, and the Oil Pollution Act, as well as under EPA's criminal enforcement program. The incumbent also is instrumental in the development, preparation, enforcement and settlement of cases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The incumbent is required to coordinate with a full range of program areas including the program offices, Criminal Investigation Division, the Office of External Programs, EPA Headquarters, the Department of Justice and as necessary the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission.

### II Major Duties

- A. Under the direction of a regional staff attorney, prepares administrative actions under regulatory programs, including drafting correspondence and legal documents; preparation of administrative records; supporting negotiations; coordinate the preparation of the legal documents with the regional attorney and, as appropriate, the regional technical staff. This coordination includes discussion, examination and evaluation of information obtained from a variety of resources.
- B. Assists the regional staff attorney in preparation for administrative and civil litigation including drafting correspondence, drafting the litigation report consistent with agency guidance, preparation of discovery documents, pleadings, affidavits, motions to dismiss and motions for summary judgment and other documents. In so doing, the incumbent selects, summarizes, compares, interprets and compiles data, information and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Conducts legal research on a variety of legal issues and provides statutory interpretation by researching statutes, legislative history, policy and guidance. Prepares legal memoranda or other appropriate summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search.
- C. Organizes and maintains files for complex cases. Obtains and reviews records, reports, correspondence and court documents. Evaluates and initiates comprehensive file system which allows for quick document retrieval. Coordinates with technical staff, contractors, courts and others to obtain documents necessary for a current and accurate file system.

- D. Responsible for answering requests under the Freedom of Information Act (FOIA). Performs analysis, evaluation and review of documents, contacts and coordinates with other office of Regional Counsel personnel, program personnel, OGC personnel and the requestor; as appropriate, while adhering to the procedures specified under FOIA.
- Provides investigative or technical support in civil/criminal matters: Investigates facts concerning violations of federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilized sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, various information-gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interview fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit.
- F. Prepares for, attends and participates in conferences with industry representatives, state or local officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with the federal judge or magistrate and meetings related to cases such as public meetings. Prepares for grand-jury presentations and attends and assists at trial.
- G. Reviews reported case law. Selects and analyzes decision, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.
- H. Conducts legal research on a variety of legal issues. Provides statutory and regulatory interpretation for Agency personnel by researching statutes, legislative history, regulations and governing policy. Prepares appropriate legal memoranda or other appropriate summary to support conclusions reached, reviewing all sides of issues raised as a result of research. Initiates search for supportive material on own initiative from the variety of sources.
- Acts as a resource and mentor for other paralegals within the Office of Regional Counsel. Maintains contact with other regional paralegals through networking and formalized structure.
  - J. Performs other duties as assigned.

FACTOR 1: KNOWLEDGE REQUIRED BY THE POSITION ( LVL 1-7 /250 PTs)

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions.

A general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

A general knowledge of business principles and techniques and ability to apply them in analyzing voluminous, complex and often incomplete records.

Ability to conduct interviews; recognize, explore and develop leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant.

Ability to use Westlaw and other computer assisted legal research tools as well as traditional law library case books, reporters and trade publications.

Skill in written communication, to prepare reports, memoranda and affidavits; all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

FACTOR 2: SUPERVISORY CONTROLS

(LVL 2-4 450 PTS)

Incumbent works independently, making independent judgments as to priority of work and case requirements.

Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercising personal knowledge and experience in planning, and directing, organizing and coordinating work to be accomplished by target dates. Assignments are performed independently with broad latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the Associate Regional Counsel for Regulatory Programs apprised of activities when problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

FACTOR 3: GUIDELINES (LVL 3-4 450 PTS)

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations; many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered. Incumbent plans, directs advises and coordinates assigned activities with the Regulatory Programs Branch and, where appropriate, within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations may

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FACTOR 4: COMPLEXITY (LVL 4-4 225 pts)

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FACTOR 6: SCOPE AND EFFECT (LVL 5-4 225 pts)

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The work involves developing strategies for handling large and complex legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

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Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other department or agencies in the federal, state and local governments.

Personal contacts include meeting with other employees of Region VII, other EPA regional offices, EPA Headquarters, the Department of Justice, state and local governments and the regulated community. Contacts with the regulated community may include corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated community. On occasion, personal contacts may also include staff of Congressional members and staff of elected representatives of state and local governments.

The principal purpose of contacts with the regulated community will be influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial enforcement proceedings. The principal purpose of contact with representatives of federal, state and local government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests.

Most of the work is sedentary. No special physical demands are required other than ordinary physical activity in an office setting, such as walking, standing, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation as may be required during investigation activities. On occasion, the paralegal will be required to travel in connection with case assignments and/or training.

**FACTOR 9: WORK ASSIGNMENT** 

(LVL 9-1 5pts)

Work environment involves the normal risks and discomforts typical of an office environment. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Travel by commercial means may be required.

TOTAL PTS: 2790 (2755-3150 = 65-12)

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Official Allocation Paralegal Specialist			GS	0950	12	
4. Supervisor's Recommendation						
5. ORGANIZATIONAL TITLE OF POSITION (if any)		6. NAME OF EMPI	OYEE	•		
		Sarah Moreno				
7. ORGANIZATION (Give complete organizational bro	eakdown)	e.				
a. U.S. ENVIRONMENTAL PROTECTION AGENCY		f.				
b. Region 7		g.				
c. Office of Regional Counsel (CNSL)		h. Employing Offi	ce Location	ENEX	A, KS	
d. Water Branch		i. Organization Co	de w	CA 000	.00	
8. SUPERVISORY STATUS						
<ul> <li>□ [2] Supervisor or Manager. Position requires the for application of the General Schedule Supervisor position classification standards.</li> <li>□ [4] Supervisor. Position meets the definition of Sup GSSG.</li> <li>□ [5] Management Official. Position meets the definition Supervisor/Manager or the definition of Supervisor Grade Evaluation leads a team performing one-grad Grade Evaluation Guide (WLGEG) or is under a directives of the applicable pay system.</li> <li>□ [7] Team Leader. Position leads a team performing WLGEG.</li> <li>□ [8] All Other Positions. Position does not meet any</li> <li>9. SUPERVISORY CERTIFICATION I certify that the relationships and that the position is necessary to carry out gove information is to be used for statutory purposes relating to appoint statutes or their implementing regulations.</li> </ul>	ervisor in 5.U.S.C. 710.  tion of Management Of or in 5.U.S.C. 7103(a)(ie interval work and meets wage system and meets two-grade interval wor of the above definitions is an accurate statement rumental functions for whi	milar standards for m  3(a)(10), but does no  ficial in 5.U.S.C. 710  10).  ets the minimum requirements and meets the minimum reck  k and meets the minimum.  This is a non-supe  of the major duties and  ich I am responsible. The of the sand and that fals	t meet the minin (3(a)(11), but do (irements for appropriate as sponsibilities of the certification is the or misleading state)	sory responsibinum requirements not meet the plication of Partecified by those the properties of this position and the made with the knatements may contain the properties of the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and the position and th	lity specified ints for applica GSSG definite t 1 of the Wore e job standard ion of Part II of d its organization owledge that the astitute violation	in other tion of the tion of k Leader s or other of the
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Leslie Humphrey, Chief Water Branch		David Cozad, Reg	ional Counsel		·	
b. Signature	c. Date	e. Signature			f. Dat	e
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Previously remedied by Pat Short on 5/4/14

P	DSITION DESC	CRIPTION AME	NDMENT
EMPLOYEE NAME	ORGANIZATION	N LOCATION OF POS	MOITI
Sarah Moreno	Region 7 – 0	Office of Regiona	l Counsel – Water Branch
POSITION TITLE	SERIES	GRADE	POSITION NUMBER
Paralegal Specialist	0950	12	0032987
AMENDMENT			

Assists regional employment law attorneys and Labor and Employee Relations in substantive legal research, drafts memorandums, prepares materials for hearing, and transcribes fact finding interviews in support of the region's labor and employee relations functions. This work inherently includes access to sensitive labor and employee relations information and may include involvement in discussion of strategy and development of legal arguments (attorney-client privileged information).

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CLASSIFIERS SIG	INATURE	DATE	SUPERVISOR'S	SIGNATURE	DATE
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EPA FORM 3150-5 (9-73)

Printed on Recycled Paper

#### **Position Description Amendment**

# Employee's Name

Organization and Location of Position

Sarah Moreno

EEO Office, EPA Region 7, 11201 Renner Boulevard Lenexa, Kansas 66219

#### Organizational Title

SEP Program Coordinator

**Description: COLLATERAL DUTY- UP TO 20%** 

Serves as an advisor to the Region's Equal Opportunity Officer and EPA Senior Management on EEO matters related to Special Emphasis programs within the workforce and develops recommendations to address workplace concerns and foster a cohesive, positive work environment free of unlawful discrimination.

Develops and completes Management Directive 715 Strategic Initiative projects in support of the Six Essential Elements of a Model EEO Program under guidance from EEO Officer; provides input into the regional MD 715 Report and diversity planning efforts and assists in implementing portions of MD 715 related to recruitment, training, and employee development. Work is completed in a thorough and timely manner.

Establishes short and long-range objectives for the program through the MD 715 Action Plan operating process; reviews personnel policies and practices and other management processes to identify existing barriers to equal employment opportunity and recommends correction action to the EEO Officer.

Serves as a member of the Regional Diversity Leadership Council (DLC), communicates with constituency group and works to promote educational activities and cultural understanding of respective group.

Maintains professional contact with regional counterparts within EPA, other federal agencies, advocacy organizations, and Headquarters. Develops and maintains an information resource file for the purpose of exchanging ideas and information about job enhancement and opportunities for employees.

Participates in planning and implementing agency recruiting efforts.

Term: 08/1/2016 - 09/31/2018 (may be extend upon reapplication at the agency's option)

Classifier's Signature

Date

EEO Officer's Signature

Date UP (2016

#### KNOWLEDGE REQUIRED BY THE POSITION

Knowledge of the employment and organizational policies and practices that result in discrimination, how they are identified, their causes and possible solutions.

Understanding of and commitment to the merit system of Federal employment and the principle of equal employment opportunity.

Understanding of the Federal labor-management relations program and the significance of an exclusively recognized union's standing as the exclusive representative of all bargaining unit employees.

Knowledge of the special problems faced by minorities.

Ability to deal effectively with persons at all levels of the organization.

Skill in fact finding.

Skill in problem analysis and solution.

Negotiating and consulting skills.

Counseling skills.

Ability to speak before groups.

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# PARALEGAL SPECIALIST PD 3228 (GS-950-12)

Introduction - This paralegal specialist position is located in the Office of Regional Counsel. The incumbent is instrumental in the development, preparation, enforcement and settlement of cases initiated under EPA's regulatory programs, including cases under the Clean Air Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation Act, the Clean Water Act, the Safe Drinking Water, and the Oil Pollution Act, as well as under EPA's criminal enforcement program. The incumbent also is instrumental in the development, preparation, enforcement and settlement of cases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The incumbent is required to coordinate with a full range of program areas including the program offices, Criminal Investigation Division, the Office of External Programs, EPA Headquarters, the Department, of Justice and as necessary the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission.

#### **Major Duties** -

- 1. Under the direction of a regional staff attorney, prepares administrative actions under regulatory programs, including drafting correspondence and legal documents; preparation of administrative records; supporting negotiations; coordinate the preparation of the legal documents with the regional attorney and, as appropriate, the regional technical staff. This coordination includes discussion, examination and evaluation of information obtained from a variety of resources.
- 2. Assists the regional staff attorney in preparation for administrative and civil litigation including drafting correspondence, drafting the litigation report consistent with guidance, preparation of discovery documents, pleadings, affidavits, motions to dismiss motions for summary judgment and other documents. In so doing, the incumbent selects summarizes, compares, interprets and compiles data, information and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Con legal research on a variety of legal issues and provides statutory interpretation by research statutes, legislative history, policy and guidance. Prepares legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search.
- 3. Organizes and maintains files for complex cases. Obtains and reviews re reports, correspondence and court documents. Evaluates and initiates comprehensive files which allows for quick document retrieval. Coordinates with technical staff, contractors and others to obtain documents necessary for a current and accurate file system.

- 4. Responsible for answering requests under the Freedom of Information Act (FOIA). Performs analysis, evaluation and review of documents, contacts and coordinates with other office of Regional Counsel personnel, program personnel, OGC personnel and the requestor, as appropriate, while adhering to the procedures specified under FOIA.
- 5. Provides investigative or technical support in civil/criminal matters. Investigates facts concerning violations of federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilized sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, various information gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interview fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit.
- 6. Prepares for, attends and participates in conferences with industry representatives, state or local officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with the federal judge or magistrate and meetings related to cases such as public meetings. Prepares for grand-jury presentations and attends and assists at trial.
- 7. Reviews reported case law. Selects and analyzes decision, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.
- 8. Conducts legal research on a variety of legal issues. Provides statutory and regulatory interpretation for Agency personnel by researching statutes, legislative history, regulations and governing policy. Prepares appropriate legal memoranda or other appropriate summary to support conclusions reached, reviewing all sides of issues raised as a result of research. Initiates search for supportive material on own initiative from the variety of sources.
- 9. Acts as a resource and mentor for other paralegals within the Office of Regional Counsel. Maintains contact with other regional paralegals through networking and formalized structure.
- 10. Performs other duties as assigned.

#### Factor 1 - Knowledge Required by the Position -

Level 1-7 - 1250 Points

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions.

A general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

A general knowledge of business principles and techniques and ability to apply them in analyzing voluminous, complex and often incomplete records.

Ability to conduct interviews; recognize, explore and develop leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant.

Ability to use Westlaw and other computer assisted legal research tools as well as traditional law library case books, reporters and trade publications.

Skill in written communication, to prepare reports, memoranda and affidavits; all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

#### Factor 2 - Supervisory Controls -

Level 2-4 - 450 Points

Incumbent works independently, making independent judgments as to priority of work and case requirements.

Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercising personal knowledge and experience in planning, and directing, organizing and coordinating work to be accomplished by target dates. Assignments are performed independently with broad latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the Associate Regional Counsel for Regulatory Programs apprised of activities when problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

#### Factor 3 - Guidelines -

Level 3-4 - 450 Points

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations, many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered. incumbent plans, directs, advises and Coordinates assigned activities with the Regulatory Programs Branch and, where appropriate, within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations May vary from the guidelines and incumbent must use specialized knowledge. of regulatory programs and previous experience.

#### Factor 4 - Complexity -

Level 4-4 - 225 Points

The work is complex and requires the ability to adapt readily to new or changing procedures or requires the incumbent to keep abreast of new case law, changes to regulations and changing agency policies. The duties require the ability to interpret, research and apply case law and policy to issues and cases assigned. Changes in the law and/or policy require incumbent to be

perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, FOIA, and the criminal program. Oftentimes the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of a professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technical developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative technique and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstructive of events from circumstantial evidence.

#### Factor 5 - Scope & Effect -

**Level 5-4 - 225 Points** 

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Branch and the Office of Regional Counsel. The incumbent develops and assists-in the development of litigation reports. The purpose of this work is to investigate, plan, review, and recommend decisions on enforcement cases and to supplement the efforts of the attorneys in this endeavor.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. Incumbent advises attorneys and program staff an interpretation of findings and highly specialized problems of case development.

Incumbent researches unsettled issues of law and assists in the development of proposed positions. The work involves establishing criteria; formulating projects; investigating or analyzing a variety of unusual legal problems, issues or questions; resolving complex technical legal and administrative issues on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other department or agencies in the federal, state

and local governments.

#### Factor 6 - Personal Contacts -

**Level 6-3 - 60 Points** 

Personal contacts include meeting with other employees of Region VII, other EPA regional offices, EPA Headquarters, the Department of Justice, state and local governments and the regulated community. Contacts with the regulated community may include corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated community. On occasion, personal contacts may also include staff of Congressional members and staff of elected representatives of state and local governments.

#### Factor 7 - Purpose of Contacts -

Level 7-3 - 120 Points

The principal purpose of contacts with the regulated community will be influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial enforcement proceedings. The principal purpose of contact with representatives of federal, state and local government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests.

#### Factor 8 - Physical Demands -

Level 8-1 - 5 Points

Most of the work is sedentary. No special physical demands are required other than ordinary physical activity in an office setting, such as walking, standing, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation as may be required during investigation activities. On occasion, the paralegal will be required to travel in connection with case assignments and/or training.

#### Factor 9 - Work Environment -

Level 9-1 - 5 Points

Work environment involves the normal risk s and discomforts typical of an office environment. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Travel by commercial means may be required.

Total Points = 2790 (2755-3150 = GS-12)

# **Extramural Resources Management Duties Checklist**

This checklist must be used with all PDs to identify the percentage of time an employee is engaged in duties related to managing contracts, grants, cooperative agreements, and interagency agreements. For positions requiring performance of these duties for 25% or more of the employees time, in addition to this checklist, such duties must also be described in the body (major duties area) of the PD.

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		s in debriefing/p				nd tasks p		<u> </u>	
	Other (lists							ts with work perform	ance
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Post-a	ward:				Pi	rovides as	sistance [·]	to Contracting Office	er in
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	problems/issues
Pre-application/Application:	Participates in decisions/actions to ensure
Prepares solicitation for proposals	successful project completion and in decisions to
Identifies potential grantees for area of program	impose sanctions
emphasis	Approves payments requests or ACH drawdowns
Makes initial determinations (whether project is	Reviews requests for modifications, additional
procurement or assistance, whether agency has	funding, etc., and makes recommendations to
legal authority, whether applicant is eligible,	Grants Management Office
whether funding is available, etc.)	Negotiates amendments
Provides administrative information to applicants	Reviews Cost/Price/Analysis for recipient
Determines appropriateness of applicant's	contracts/change orders (Superfund only)
workplan/activities/budget and compliance with	When necessary, recommends termination of the
regulations and guidelines and negotiates changes	agreement
with applicant	Resolves with Grants Management Office
Assists applicant in resolving issues in application	administrative and financial issues
For cooperative agreement, determines substantial	Conducts periodic reviews to ensure compliance
Federal involvement and develops a condition for	with agreement
	Other (list)
agreement Negotiates level of funding	Onto hoy
Conducts site visits to evaluate program capability	Close-out:
Serves as resource to Selection Panel	Certifies deliverables were satisfactory and timely
Informs applicants of funding decisions	Provides assistance to recipients and Grants
Other (list)	Management Office to ensure timely close-out
Other (not)	Reconciles payment with work performed
ward:	Notifies recipient of close-out requirements
Prepares funding package, including Decision	Obtains legal assistance if necessary to resolve
Memorandum	incomplete close-out
Obtains concurrences/approvals	If project is audited, responds to issues and ensures
Reviews/concurs in completed document	recipient complies with audit recommendations
Establishes project file	Other (list)
Other (list)	
	Percentage of Time Spent on Grants/Cooperative
roject Management/Administration:	Agreements Management
Monitors recipient's activities and progress	
Reviews reports and deliverables and notifies	%
recipient of comments	
Provides technical assistance to recipients	
art 3. Interagency Agreements Duties	
	Monitors cost management and overall technical
re-Agreement:	Monitors cost management and overall technical
re-Agreement: Plans and negotiates work effort	performance
re-Agreement: Plans and negotiates work effort Estimates costs	performance Participates in decisions about project
re-Agreement: Plans and negotiates work effort Estimates costs Obtains funding commitments	performance Participates in decisions about project modification/termination
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# ADDENDUM TO ALL POSITION DESCRIPTIONS IN REGION 7

POSITION NUMBER:	TRAVEL: # days per month
	TELEWORK: Portability of Work%
MEDICAL MONITORING PROGRAM RE	COUIREMENTS
[] This position IS in the medical monitoring	<del>-</del>
M This position IS NOT in the medical mo	
Regional Safety & Health Office	
[] Compliance with EPA Order 3500.1, In	
( )	o.F
FINANCIAL DISCLOSURE FORM	
[] OGE-450 Required	CNSL Concurrence:
OGE-278 Required	
No financial disclosure forms required	
DRUG TESTING PROGRAM	
[] This position IS in the drug testing prog	
This position IS NOT in the drug testing	
Drug Testing Program Coordina	tor Concurrence:
DADOA VENERO TIRITO DECECETA MECAL	
BARGAINING UNIT DESIGNATION	12) AECE (1042)
Position is included in the [] NTEU (11	13) AFGE (1043)
Position is excluded from the BU (8888	).
Position Description (PD) amendment is added Extramural Resources Management Duties Che [] Total Extramural Resources Manageme duties are indicated in a PD amendment added Extramural Resources Management Duties Che [] Total Extramural Resources Management duties are indicated in the PD amendment added Extramural Resources Management Duties Che PROPERTY MANAGEMENT, PROPERT UTILIZATION OF EPA'S REAL AND PEXAMENT,	to the position description in the form of the ecklist.  In the position description in the form of the ecklist.  In the position description in the form of the ecklist and described in the position description.  In the position description in the form of the ecklist and described in the position description.  In the position description in the form of the ecklist and described in the position description.  In the position description in the form of the ecklist and described in the position description.  In the position description in the form of the ecklist and described in the position description.  In the position description in the form of the ecklist and described in the position description.  In the position description in the form of the ecklist and described in the position description.
	nent Officer (PMO); [] Property Accountability r (PUO) and/or [] Custodial Officer duties
	ion Description (PD) amendment is added to the
	Management, Property Accountability and Property
Utilization Checklist.	vianagement, respectly recountaining and respectly
[] More than 25% is described in the position	tion description
1 More than 25 to is described in the positi	non description.
Bulley Bless	5/6/14
Supervisor Signature	Date '
(Attached to Original Position Description For	rm dated 8/09) PD Addendum Form dated 3/21/13)

United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET			1. DUTY LOCATION 2. POSITION NUMBER COO32 98")				MBER			
CLASSIFICATION ACTION: a. Reference of Phins and Demins Standards Used to Classify this Position										
	h. Title			c. Service	d. Series	a Grada & CLC				
Official Allocation	Paralegal Specialist				0950	12	929			
4. SUPERVISOR'S RECOMMENDATION	·									
5. ORGANIZATIONAL T	5. ORGANIZATIONAL TITLE OF POSITION (If EET)				5. NAME OF EMPLOYER					
7. ORGANIZATION (sive	complete organizational breakdown)									
a. U, S. ENVIS	LONMENTAL PROTECTION AGENCY		<b>4.</b>							
b. Region 7	b. Region 7			£ .						
4 Office of Regional Counsel			<b>.</b>							
d Immediate Off:	ice	3	EPAYS Organization	Code 9	וסופורים		•			
of work through combined technical and administrative direction of others and meets the requirements for coverage as described in the General Schedule Supervisory Guide.  [1A] An individual (as defined in Section 7103(a)(10) of Title V of the U.S. Code) who is authorized to hire, direct, assign, promote, reward, transfer, isy off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or elerical in nature, but requires the consistent exercise of independent judgment.  [M] A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of duties outlined in the General Schedule Supervisory Guide. May also include deputies who fully share responsibility for managing the organization or who serve as an after up to the manager.  [B] A management official (as defined in Section 7103(a)(11) of Title V of the U.S. Code) who formulates, determines or influences an organization's policies. This means creating, establishing, or prescribing general principles, plans, or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies not just interpret laws and regulations give resource information or recommendations or serve as experts or highly trained professionals who implement or interpret the organization's policies and plans.  [T] "Team Leader" This position meets the requirements for coverage under Part II of the Work Leader Grade Evaluation Guide.  [N] None of the above applies. This is a non-supervisory/non-managerial position.  [Supervisory Certification is made with the knowledge that this information is no be used for relatively parpease relating to appointment and payment of public funds, and that that position and its the knowledge that the information of supervisory parpease rel										
	their implementing regulations.  mmediate Supervisor		Tonad Name and Titl	n of Sanand T						
			Typed Name and Title of Second-Level Supervisor avid Cozad, Regional Counsel							
h. Significare . Dil Oh . c. Date . Signature . O C E. Date				L Date  12,16/0}	-					
10. OFFICIAL CLASSIFIC	ATION CRRTIFICATION		,							
a. Whis position has a no promotion potential.	If parition develops at pleaned and employee attricturity, this position has known promotion	progresses E potantial to	grade:	b. Fair Labor S Nonathempt	tanglards Act	c. Faneti Code ()(				
(b) (6) Medic	if applicable: al Monitering Required nursi Resource: Management Duties ( % control & cubject to random drug tasting (		Signature Hughitism	Juni		E Data 1/6/0	8			
REMARKS  VF 8.0 Version of EPA Form 315	0.10 - 17000	<del></del>	10	•						

United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET				1. DUTY LOCATION  Z. POSITION NUMBER  COO32 927					
CLASSITICATION ACTION: a Reference of Divise and Date of Standard Used to Classify this Position									
		b. Title			c. Servica	d. Series	e. Grade	r crc	
Official Allocation		Paralegal Specialist			G8	0950	12	929	
4. SUPERVISOR'S RECOMMENDATION							<u></u>		
5. ORGANIZATI	IONAL TI	TLE OF POSITION (If any)	-	6. NAME OF EMPLO	YEE Amy G	onxales			
7. ORGANIZATI	ION (give	complete organizational breakd	lowo)		· · · · · · · · · · · · · · · · · · ·				
a. U,	S. ENVIR	ONMENTAL PROTECTION	AGENCY	<b>6.</b> .					
b. Region 7	b. Region 7			<b>1</b> .					
• Office of Regional Counsel				<b>.</b>					
4. Immediate Office LEPAYS On				L EPAYS Organization	oc Code 9	1016140	,	•	
General General An ind transfer respon [M] A man progra fully si General organi bringin not just implem [T] "Team	al Schedulividum (a ar, lay off, isibility in asger who am activith hare respondent exaction's pa- ing about a at interpre- ment or interpre- ment or interpre-	combined sechnical and ach le Supervisory Guide. In Section 7103(a) suspend, discipline, or remonot routine or olerical in nai directs the work of an organ ce; and performs the full ran shability for managing the or official (as defined in Section Dicies. This means creating, course of action for the organization and regulations give recepted the organization and require specific section. This position meets the require applies. This is a non-sequence of action for the organization.	(10) of Title V of the U.S  ive one or more employer  thre, but requires the con-  ization; is accountable for  ge of duties outlined in the  rganization or who serve  a 7103(a)(11) of Title V of  establishing, or prescribt  establishing or prescribt  estource information or re-  licies and plans.  irements for coverage uni-	S. Code) who is suthon  s, or effectively reconsistent exercise of ind  or the success of line of  se General Schedule, S  as an alter ego to the  of the U.S. Code) who  of general principles,  officials must actively  commendations or ser  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der Part II of the Work  der P	erized to hire, ommend such as ependent judg or staff program supervisory Ch manager, o formulates, d plans, or cour participate in rve as experts	direct, assign, ction. The ex- ment.  ns; monitors, uide. May also determines or reses of action ahaping the cr or highly train	promote, re- ercise of this evaluates, an o include dep influences as for an organi- rganization's ned profession	ward, ad adjusts outies who a ization; or	
9. SUPERVISORY CERTIFICATION I cartify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental for which I am responsible. The cartification is made with the knowledge that this information is to be used for statement purpose relating to appointment and payment of public funds, and that false or minimaling statements may constitute violations of such statement or their implementing regulations.									
				itle of Second-Level Supervisor  Regional Counsel					
Dilly Meph 12/16/08			a. Signature 1 C E Date 12/16/0j				·		
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REMARKS	•				•				

# PARALEGAL SPECIALIST PD 3228 (GS-950-12)

Introduction - This paralegal specialist position is located in the Office of Regional Counsel. The incumbent is instrumental in the development, preparation, enforcement and settlement of cases initiated under EPA's regulatory programs, including cases under the Clean Air Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation Act, the Clean Water Act, the Safe Drinking Water, and the Oil Pollution Act, as well as under EPA's criminal enforcement program. The incumbent also is instrumental in the development, preparation, enforcement and settlement of cases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The incumbent is required to coordinate with a full range of program areas including the program offices, Criminal Investigation Division, the Office of External Programs, EPA Headquarters, the Department, of Justice and as necessary the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission.

#### Major Duties -

- 1. Under the direction of a regional staff attorney, prepares administrative actions under regulatory programs, including drafting correspondence and legal documents; preparation of administrative records; supporting negotiations; coordinate the preparation of the legal documents with the regional attorney and, as appropriate, the regional technical staff. This coordination includes discussion, examination and evaluation of information obtained from a variety of resources.
- 2. Assists the regional staff attorney in preparation for administrative and civil litigation including drafting correspondence, drafting the litigation report consistent with guidance, preparation of discovery documents, pleadings, affidavits, motions to dismiss motions for summary judgment and other documents. In so doing, the incumbent selects summarizes, compares, interprets and compiles data, information and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Con legal research on a variety of legal issues and provides statutory interpretation by research statutes, legislative history, policy and guidance. Prepares legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search.
- 3. Organizes and maintains files for complex cases. Obtains and reviews re reports, correspondence and court documents. Evaluates and initiates comprehensive files which allows for quick document retrieval. Coordinates with technical staff, contractors and others to obtain documents necessary for a current and accurate file system.

- 4. Responsible for answering requests under the Freedom of Information Act (FOIA). Performs analysis, evaluation and review of documents, contacts and coordinates with other office of Regional Counsel personnel, program personnel, OGC personnel and the requestor, as appropriate, while adhering to the procedures specified under FOIA.
- 5. Provides investigative or technical support in civil/criminal matters. Investigates facts concerning violations of federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilized sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, various information gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interview fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit.
- 6. Prepares for, attends and participates in conferences with industry representatives, state or local officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with the federal judge or magistrate and meetings related to cases such as public meetings. Prepares for grand-jury presentations and attends and assists at trial.
- 7. Reviews reported case law. Selects and analyzes decision, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.
- 8. Conducts legal research on a variety of legal issues. Provides statutory and regulatory interpretation for Agency personnel by researching statutes, legislative history, regulations and governing policy. Prepares appropriate legal memoranda or other appropriate summary to support conclusions reached, reviewing all sides of issues raised as a result of research. Initiates search for supportive material on own initiative from the variety of sources.
- 9. Acts as a resource and mentor for other paralegals within the Office of Regional Counsel. Maintains contact with other regional paralegals through networking and formalized structure.
- 10. Performs other duties as assigned.

#### Factor 1 - Knowledge Required by the Position -

Level 1-7 - 1250 Points

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions.

A general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

A general knowledge of business principles and techniques and ability to apply them in analyzing voluminous, complex and often incomplete records.

Ability to conduct interviews; recognize, explore and develop leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant.

Ability to use Westlaw and other computer assisted legal research tools as well as traditional law library case books, reporters and trade publications.

Skill in written communication, to prepare reports, memoranda and affidavits; all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

#### Factor 2 - Supervisory Controls -

Level 2-4 - 450 Points

Incumbent works independently, making independent judgments as to priority of work and case requirements.

Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercising personal knowledge and experience in planning, and directing, organizing and coordinating work to be accomplished by target dates. Assignments are performed independently with broad latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the Associate Regional Counsel for Regulatory Programs apprised of activities when problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

#### Factor 3 - Guidelines -

Level 3-4 - 450 Points

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations, many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered, incumbent plans, directs, advises and Coordinates assigned activities with the Regulatory Programs Branch and, where appropriate, within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations May vary from the guidelines and incumbent must use specialized knowledge, of regulatory programs and previous experience.

#### Factor 4 - Complexity -

Level 4-4 - 225 Points

The work is complex and requires the ability to adapt readily to new or changing procedures or requires the incumbent to keep abreast of new case law, changes to regulations and changing agency policies. The duties require the ability to interpret, research and apply case law and policy to issues and cases assigned. Changes in the law and/or policy require incumbent to be

perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, FOIA, and the criminal program. Oftentimes the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of a professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technical developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative technique and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstructive of events from circumstantial evidence.

#### Factor 5 - Scope & Effect -

Level 5-4 - 225 Points

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Branch and the Office of Regional Counsel. The incumbent develops and assists-in the development of litigation reports. The purpose of this work is to investigate, plan, review, and recommend decisions on enforcement cases and to supplement the efforts of the attorneys in this endeavor.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. Incumbent advises attorneys and program staff an interpretation of findings and highly specialized problems of case development.

Incumbent researches unsettled issues of law and assists in the development of proposed positions. The work involves establishing criteria; formulating projects; investigating or analyzing a variety of unusual legal problems, issues or questions; resolving complex technical legal and administrative issues on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other department or agencies in the federal, state

and local governments.

#### Factor 6 - Personal Contacts -

Level 6-3 - 60 Points

Personal contacts include meeting with other employees of Region VII, other EPA regional offices, EPA Headquarters, the Department of Justice, state and local governments and the regulated community. Contacts with the regulated community may include corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated community. On occasion, personal contacts may also include staff of Congressional members and staff of elected representatives of state and local governments.

#### Factor 7 - Purpose of Contacts -

Level 7-3 - 120 Points

The principal purpose of contacts with the regulated community will be influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial enforcement proceedings. The principal purpose of contact with representatives of federal, state and local government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests.

#### Factor 8 - Physical Demands -

Level 8-1 - 5 Points

Most of the work is sedentary. No special physical demands are required other than ordinary physical activity in an office setting, such as walking, standing, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation as may be required during investigation activities. On occasion, the paralegal will be required to travel in connection with case assignments and/or training.

#### Factor 9 - Work Environment -

Level 9-1 - 5 Points

Work environment involves the normal risk s and discomforts typical of an office environment. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Travel by commercial means may be required.

Total Points = 2790(2755-3150 = GS-12)

#### EXTRAMURAL RESOURCES MANAGEMENT DUTIES CHECKLIST

This checklist may be used to identify duties in managing contracts, grants, cooperative agreements, and interagency agreements. It is a tool for identifying duties to be added to position descriptions for positions requiring 25% or more of time on any combination of extramural resources management duties. The checklist may be used as an amendment to position descriptions for positions requiring LESS than 25% of time on these duties.

descriptions for positions requiring LESS than 25% of time on the	hese duties.
EMPLOYEE INFORMATION	Percentage of Time Spent on Extramural Resources Management
Name:	This position has no extramural resources
Position Number:	management responsibilities.
- 16 205-11 60111-2	Total extramural resources management duties occupy less than 25% of the time.
Series/Grade: 65-0950-11, FPLLS 12	Total extramural resources management duties
Organization: Region 7	occupy 25% to 50% of time. These duties are indicated below and described in the position
Office of Repural CLSZ	description Total extramural resources management duties
0.1.00	occupy more than 50% of time. These duties are
	indicated below and described in the position
	description.
When this checklist is used as an amendment to a position descr	intion the following signatures are required:
	Arion, the following signatures are required.
Supervisor's Signature: Rescie Humphus	Date: 6.08.2016
V 1	0
Human Resources Specialist's Signature:	Date:
Part 1. Contracts Management Duties	Monitors management and performance of
	delivery orders/work assignments after award
Pre-award:	
Plans procurements	
Estimates costs	Defines scope of work for work assignments
Obtains funding commitments	Approves payment, requests or ACH
Prepares procurement requests	drawdowns
Writes statements of work	Manages cost-reimbursement contracts
Reviews statements of work	Reviews invoices
Processes unsolicited proposals	Inspects and accepts deliverables
Responds to pre-award inquiries	Other (list)
Participates in pre-award conferences	Classical
Conducts technical evaluation of proposals  Participates in debriefing/protests	Close-out:
Other (list)	Writes reports on contractor performance, costs, and tasks performed
	Reconciles payments with work performance
Post-award:	Closes out payments
Prepares delivery orders	Performs cost accounting
Reviews contractor work plans	Provides assistance to Contracting Officer in
Reviews contractor progress reports	settling claims
Monitors government-furnished property	Other (list)
Monitors costs, management, and overall	
technical performance of contract after award	

	Approves payments requests or ACH drawdowns
	Reviews request for modifications, additional
PERCENTAGE OF TIME SPENT ON CONTRACT	funding, etc. and makes recommendations to
MANAGEMENT:	Grants Management Office.
<u> </u>	Negotiates amendments
	Reviews Cost/Price/Analysis for recipient
Grants/Cooperative Agreements Duties	contracts/change orders (Superfund only)
<b>1</b>	When necessary, recommends termination of the
Pre-application/Application:	agreement.
Prepares solicitation for proposals	Resolves with Grants Management Office
Identifies potential grantees for area of program	administrative and financial issues.
emphasis	Conducts periodic reviews to ensure compliance
Makes initial determinations (whether project is	with agreement
procurement or assistance, whether agency has	Other (list)
legal authority, whether applicant is eligible,	
whether funding is available, etc.	Close-out;
Provides administrative information to	Certifies deliverables were satisfactory and
applicants.	timely
Determines appropriateness of applicant's	Provides assistance to recipients and Grants
workplan/activities/budget and compliance with	Management Office to ensure timely close-out
regulations and guidelines and negotiates changes	Reconciles payment with work performed
with applicant.	Notifies recipient of close-out requirements
Assists applicant in resolving issues in	Obtains legal assistance if necessary to resolve
application	incomplete close-out
For cooperative agreement, determines	If project is audited, responds to issues and
substantial Federal Involvement and develops a	ensures recipient complies with audit
condition for agreement	recommendations
Negotiates level of funding	Other (list)
Conducts site visits to evaluate program	
capability	Percentage of Time Spend on Grants/Cooperative
Serves as resource to Selection Panel	Agreements Management: /
Informs applicants of funding decisions	%
Other (list)	<del></del> ~
	Part 3. Interagency Agreements Duties
Award:	
Prepares funding package, including Decision	Pre-Agreement:
Memorandum	Plans and negotiates work effort
Obtains concurrences/approvals	Estimates costs
Reviews/concurs in completed document	Obtains funding commitments
Established project file	Prepares commitment notice
Other (list)	Writes or reviews scope of work
Cinci (IIII)	Responds to pre-agreement inquiries
Project Management/Administration:	
Monitors recipient's activities and progress	Participates in pre-agreement conferences
Reviews reports and deliverables and notifies	Coordinates with appropriate staff in developing Independent Government Cost Estimates (IGEs)
recipient of comments	
Provides technical assistance to recipients	Negotiates and ensures execution of Superfund State Contracts (Superfund Only)
Advises Grants Management Office of potential	, , , , , , , , , , , , , , , , , , , ,
problems/issues	Performs technical evidation of work plan and
·	budget
Participates in decision/actions to ensure	Prepares funding package and obtains necessary
successful project completion and in decisions to	Concurrences
impose sanctions.	Other (list)

Project Management/Administration:	office/other agency
Reviews progress reports/financial reports	Other (list)
Monitors cost management and overall technical	
performance Participates in decisions about project modification/termination Conducts periodic review of Superfund State contracts payment receipts (Superfund Only) Inspects and accepts deliverables Other (list)	Time Spent on Interagency Agreements Management:
Close-out:	
Reviews final report	
Decides on disbursement of equipment	
Reconciles payments with work performed	
Reviews Superfund State Contracts to ensure full	
reimbursement (Superfund Only)	
Certifies deliverables	
Resolves close-out issues with Grants Management	

#### ADDENDUM TO ALL POSITION DESCRIPTIONS IN REGION 7

POSITION NUMBER:
MEDICAL MONITORING PROGRAM REQUIREMENTS
[] This position IS in the medical monitoring program.
[X] This position IS NOT in the medical monitoring program.
Regional Safety & Health Officer Concurrence:
[ ] Compliance with EPA Order 3500.1, Inspector Training Program is required.
DRUG TESTING PROGRAM
[] This position IS in the drug testing program.
[X] This position IS NOT in the drug testing program.
Drug Testing Program Coordinator Concurrence:
Drug Testing Frogram Coordinator Concurrence.
BARGAINING UNIT DESIGNATION
[X] Position is included in the [] NTEU (0029) [X] AFGE (0011)
[] Position is eligible for inclusion in a BU but currently not covered (7777).
[] Position is excluded from the BU (8888).
EXTRAMURAL RESOURCES MANAGEMENT DUTIES
[X] This position has NO extramural resources management responsibilities.
[A ] This position has two extrainaral resources management responsionities.
[] Total extramural resources management duties occupy less than 25% of the time and a
Position Description (PD) amendment is added to the position description in the form of the
Extramural Resources Management Duties Checklist.
·
[] Total Extramural Resources Management Duties occupy 25% to 50% of time. These
duties are indicated in a PD amendment added to the position description in the form of the
Extramural Resources Management Duties Checklist and described in the position description.
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[] Total Extramural Resources Management duties occupy more than 50% of time. These duties are indicated in the PD amondment added to the position description in the form of the
duties are indicated in the PD amendment added to the position description in the form of the Extramural Resources Management Duties Checklist and described in the position description.
extramutal Resources Management Daties Checklist and described in the position description.
PROPERTY MANAGEMENT, PROPERTY ACCOUNTABILITY AND PROPERTY
UTILIZATION OF EPA'S REAL AND PERSONAL PROPERTY
[X] This position has NO property management, property accountability and property
utilization of real and/or personal property responsibilities.
[] This Position is a [] Property Management Officer (PMO); [] Property Accountability
Officer (PAO); [] Property Utilization Officer (PUO) and/or [] Custodial Officer duties
occupy less than 25% of the time and a Position Description (PD) amendment is added to the
position description in the form of a Property Management, Property Accountability and Property
Utilization Checklist.
[] More than 25% is described in the position description.
Supervisor Signature Date
Supervisor Signature Date
(Attached to Original Position Description Form dated 8/09) PD Addendum Form dated 3/10

	onmental Protection Agency		l .	OCATION	I	ON NUMBE	R	
	SITION DESCRIPTION COVERS N ACTION: a. Reference of Series and		Lenexa, Classify this Position	KS	00329	87		
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4. Supervisor's Recommendation								
5. ORGANIZATION	AL TITLE OF POSITION (if any)		6. NAME OF EMPI	OYEE				
			Milady Peters					
7. ORGANIZATIO	ON (Give complete organizational bro	eakdown)	e.					
a. U.S. ENVIRON	MENTAL PROTECTION AGENCY		f.			-		
b. Region 7			g.	1				
c. Office of Region	nal Counsel (CNSL)		h. Employing Offi	ce Location	ENEX	A. KS		
d. Air Branch			i. Organization Co	•	0000			
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Alex Chen, Chief A	ir Branch		David Cozad, Reg	ional Counsel				
b. Signature		c. Date	e. Signature			f. Dat	,	
alex Che	_	8/28/14	Davan Belly for \$/20/14					
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a. Promotion Pote TX This position has	s no promotion potential	osition develops as plan notion potential to grade		rogresses satisfac	ctorily, this pos	ition has knov	vn	
b. PSB Risk Designation  □ ✓ Low □ OGE-450 Required □ 2 Moderate □ OGE-278 Required □ No financial disclosure □ may not be Low □ may not be Low			dditional" (IA) s position d	e. FLSA Deter NONEXEM *check exemp Administrat Professional	IPT □ EXEMItion category) ive	PT* Class Code	nctional ification	
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b)(6) 🗀	<ul> <li>Medical Monitoring Required N/A</li> <li>Extramural Resources Managemen</li> <li>This position is subject to random of</li> </ul>	t Duties (N/A% of time	=)  S  Neys	louen h	Mgran	Q 1/	6/08	
11. REMARKS			, , ,		9		7	
Bargaining Ur	nit code changed eff. 3/19/19	) due to LER relate	ed duties.					

Previously remended by Pot Start 5/4/14

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	ed States Environmental Protection Agency ION DESCRIPTION COVERSHEE.	T	1, DUTY LOCATION Kan	ON sas City		יטא אסודופ 2 9 אר	MBER
CLASSIFICATION /	CTION: a. Reference of Stries and Date of S GS 750 75-76	Standards Used to	Classify this Position				
	b. Thi			c. Service	d. Series	e. Grade	rcic
Official Allocation	Paralegal Specialist			GS	0950	12	929
4. SUPERVISOR'S RECOMMENDATION							
5. ORGANIZATIONAL	TITLE OF POSITION (If any)	6	NAME OF EMPLO	YEE			
7. ORGANIZATION (g	ve complete organizational breakdown)					<del></del>	
L U, S. ENV	TRONMENTAL PROTECTION AGENCY		• •				
b. Region 7		£.					
c Office of Re	gional Counsel		•				
4 Immediate Of	fice	la la	. EPAYS Organizatio	o Code 9	וסופורים		
General Scholler General Scholler An individual transfer, lay responsibility M A manager was program actifully share refully sha	ugh combined technical and administrative citule Supervisory Guide.  I (as defined in Section 7103(a)(10) of Titioff, suspend, discipline, or remove one or ny is not routine or elerical in nature, but recho directs the work of an organization; is a wities; and performs the full range of duties apponsibility for managing the organization and official (as defined in Section 7103(a)(1) policies. This means creating, establishing a course of action for the organization. It is course of action for the organization. It is interpret the organization's policies and plar" This position meets the requirements for above applies. This is a non-supervisory/net TIFICATION. I certify that this is an accurate position is accurate position is a supervisory to carry out governments.	le V of the U.S. nore employees, quires the consistence untable for the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the continued in the co	Code) who is suthor or effectively recontent exercise of inde the success of line or General Schedule S an alter ego to the it the U.S. Code) who igeneral principles, icials must actively mmendations or ser Part II of the World settion.	rized to hire, onmend such a spendent judger staff program uppervisory Granager.  of formulates, of plans, or cour participate in we as experts a Leader Gradesponsibilities of the promitties of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the plans of the pl	tirect, assign, ction. 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this information is to be t	ued for statutory purposes relating to appoint s or their implementing regulations.						
a. Typed Name and Title Becky Dolph,	of immediate Supervisor Deputy Regional Counsel		Typed Name and TH avid Coxad, 1		-	•	
Dilly M	LPA 12/11	celos	Signature	C.		f. Date  1_1 b/0	}-
10. OFFICIAL CLASSIF	ICATION CERTIFICATION		1	· · · · · · · · · · · · · · · · · · ·	•		
a. This position has so promotion potential.	If position develops as planned and employ satisfactorily, this position has known promo-			b. Fair Labor (	itandards Act	c. Func Code ()	
Unit Code	ck, if applicable: dical Monitoring Required transural Resources Management Dutles ( is position is subject to random drug testing (	1	signature  Myfilling	dynd		E. Date 1/6/0	8
REMARKS			10	•	, ,		

P	DSITION DESC	CRIPTION AME	NDMENT
EMPLOYEE NAME	ORGANIZATIO	N LOCATION OF POS	ITION
Milady Peters	Region 7 – 0	Office of Regiona	I Counsel – Air Branch
POSITION TITLE	SERIES	GRADE	POSITION NUMBER
Paralegal Specialist	0950	12	0032987
AMENDMENT	. <u> </u>		

Assists regional employment law attorneys and Labor and Employee Relations in substantive legal research, drafts memorandums, prepares materials for hearing, and transcribes fact finding interviews in support of the regions labor and employee relations functions. This work inherently includes access to sensitive labor and employee relations information and may include involvement in discussion of strategy and development of legal arguments (attorney-client privileged information).

CLASSIFIERS SIGNATURE	DATE	SUPERVISOR'S SIGNATURE	DATE
MODINIES EL Date: 2019.03.19 07	·	Davan Kalley	3/12/19
EDX EODK (25 go 69497 72)		Printed on	Becycled Paner

# PARALEGAL SPECIALIST PD 3228 (GS-950-12)

Introduction - This paralegal specialist position is located in the Office of Regional Counsel. The incumbent is instrumental in the development, preparation, enforcement and settlement of cases initiated under EPA's regulatory programs, including cases under the Clean Air Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation Act, the Clean Water Act, the Safe Drinking Water, and the Oil Pollution Act, as well as under EPA's criminal enforcement program. The incumbent also is instrumental in the development, preparation, enforcement and settlement of cases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The incumbent is required to coordinate with a full range of program areas including the program offices, Criminal Investigation Division, the Office of External Programs, EPA Headquarters, the Department, of Justice and as necessary the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission.

#### Major Duties -

- 1. Under the direction of a regional staff attorney, prepares administrative actions under regulatory programs, including drafting correspondence and legal documents; preparation of administrative records; supporting negotiations; coordinate the preparation of the legal documents with the regional attorney and, as appropriate, the regional technical staff. This coordination includes discussion, examination and evaluation of information obtained from a variety of resources.
- 2. Assists the regional staff attorney in preparation for administrative and civil litigation including drafting correspondence, drafting the litigation report consistent with guidance, preparation of discovery documents, pleadings, affidavits, motions to dismiss motions for summary judgment and other documents. In so doing, the incumbent selects summarizes, compares, interprets and compiles data, information and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Con legal research on a variety of legal issues and provides statutory interpretation by research statutes, legislative history, policy and guidance. Prepares legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search.
- 3. Organizes and maintains files for complex cases. Obtains and reviews re reports, correspondence and court documents. Evaluates and initiates comprehensive files which allows for quick document retrieval. Coordinates with technical staff, contractors and others to obtain documents necessary for a current and accurate file system.

- 4. Responsible for answering requests under the Freedom of Information Act (FOIA). Performs analysis, evaluation and review of documents, contacts and coordinates with other office of Regional Counsel personnel, program personnel, OGC personnel and the requestor, as appropriate, while adhering to the procedures specified under FOIA.
- 5. Provides investigative or technical support in civil/criminal matters. Investigates facts concerning violations of federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilized sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, various information gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interview fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit.
- 6. Prepares for, attends and participates in conferences with industry representatives, state or local officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with the federal judge or magistrate and meetings related to cases such as public meetings. Prepares for grand-jury presentations and attends and assists at trial.
- 7. Reviews reported case law. Selects and analyzes decision, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.
- 8. Conducts legal research on a variety of legal issues. Provides statutory and regulatory interpretation for Agency personnel by researching statutes, legislative history, regulations and governing policy. Prepares appropriate legal memoranda or other appropriate summary to support conclusions reached, reviewing all sides of issues raised as a result of research. Initiates search for supportive material on own initiative from the variety of sources.
- 9. Acts as a resource and mentor for other paralegals within the Office of Regional Counsel. Maintains contact with other regional paralegals through networking and formalized structure.
- 10. Performs other duties as assigned.

#### Factor 1 - Knowledge Required by the Position -

Level 1-7 - 1250 Points

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions.

A general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

A general knowledge of business principles and techniques and ability to apply them in analyzing voluminous, complex and often incomplete records.

Ability to conduct interviews; recognize, explore and develop leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant.

Ability to use Westlaw and other computer assisted legal research tools as well as traditional law library case books, reporters and trade publications.

Skill in written communication, to prepare reports, memoranda and affidavits; all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

#### Factor 2 - Supervisory Controls -

Level 2-4 - 450 Points

Incumbent works independently, making independent judgments as to priority of work and case requirements.

Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercising personal knowledge and experience in planning, and directing, organizing and coordinating work to be accomplished by target dates. Assignments are performed independently with broad latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the Associate Regional Counsel for Regulatory Programs apprised of activities when problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

#### Factor 3 - Guidelines -

**Level 3-4 - 450 Points** 

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations, many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered. incumbent plans, directs, advises and Coordinates assigned activities with the Regulatory Programs Branch and, where appropriate, within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations May vary from the guidelines and incumbent must use specialized knowledge. of regulatory programs and previous experience.

#### Factor 4 - Complexity -

**Level 4-4 - 225 Points** 

The work is complex and requires the ability to adapt readily to new or changing procedures or requires the incumbent to keep abreast of new case law, changes to regulations and changing agency policies. The duties require the ability to interpret, research and apply case law and policy to issues and cases assigned. Changes in the law and/or policy require incumbent to be

perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, FOIA, and the criminal program. Oftentimes the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of a professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technical developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative technique and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstructive of events from circumstantial evidence.

#### Factor 5 - Scope & Effect -

**Level 5-4 - 225 Points** 

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Branch and the Office of Regional Counsel. The incumbent develops and assists-in the development of litigation reports. The purpose of this work is to investigate, plan, review, and recommend decisions on enforcement cases and to supplement the efforts of the attorneys in this endeavor.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. Incumbent advises attorneys and program staff an interpretation of findings and highly specialized problems of case development.

Incumbent researches unsettled issues of law and assists in the development of proposed positions. The work involves establishing criteria; formulating projects; investigating or analyzing a variety of unusual legal problems, issues or questions; resolving complex technical legal and administrative issues on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other department or agencies in the federal, state

and local governments.

#### Factor 6 - Personal Contacts -

**Level 6-3 - 60 Points** 

Personal contacts include meeting with other employees of Region VII, other EPA regional offices, EPA Headquarters, the Department of Justice, state and local governments and the regulated community. Contacts with the regulated community may include corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated community. On occasion, personal contacts may also include staff of Congressional members and staff of elected representatives of state and local governments.

#### Factor 7 - Purpose of Contacts -

**Level 7-3 - 120 Points** 

The principal purpose of contacts with the regulated community will be influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial enforcement proceedings. The principal purpose of contact with representatives of federal, state and local government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests.

#### Factor 8 - Physical Demands -

Level 8-1 - 5 Points

Most of the work is sedentary. No special physical demands are required other than ordinary physical activity in an office setting, such as walking, standing, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation as may be required during investigation activities. On occasion, the paralegal will be required to travel in connection with case assignments and/or training.

#### Factor 9 - Work Environment -

Level 9-1 - 5 Points

Work environment involves the normal risk s and discomforts typical of an office environment. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Travel by commercial means may be required.

Total Points = 2790(2755-3150 = GS-12)

### **Extramural Resources Management Duties Checklist**

This checklist must be used with all PDs to identify the percentage of time an employee is engaged in duties related to managing contracts, grants, cooperative agreements, and interagency agreements. For positions requiring performance of these duties for 25% or more of the employees time, in addition to this checklist, such duties must also be described in the body (major duties area) of the PD.

Employee Information	Percentage of Time Spent on Extramural Resources Management
Name Milady Peters	X This position has no extramural resources
	management responsibilities.
Position Number 0032987	Total extramural resources management duties
	occupy less than 25% of time.
Title	Total extramural resources management duties
Paralegal Specialist	occupy 25% to 50% of time. These duties are
, and gain openion	indicated below and described in the position
	description.
Series/Grade GS-0950-12	Total extramural resources management duties
	occupy more than 50% of time. These duties are
	indicated below and described in the position
	description.
Organization Region 7 CNSL Air Branch WCC0	00000
When this checklist is used as an amendment to a r	position description, the following signatures are required:
	Date 3/6/14
Personnel Specialist's FULL	MUM Date 05/19/19
Part 1. Contracts Management Duties	
	Monitors management and performance of
Pre-award:	delivery orders/work assignments after award
Plans Procurements	Defines scope of work for work assignments
Estimates Costs	Approves payment requests of ACH drawdowns
Obtains funding committments	Manages cost-reimbursement contracts
Prepares procurement requests	Reviews invoices
Writes statements of work	Inspects and accepts deliverables
Reviews statements of work	Other (list)
Processes unsolicited proposals	
Responds to pre-award inquiries Participates in pre-award conferences	Close-out:
Conducts technical evaluation of proposals	Writes reports on contractor performance, costs,
Participates in debriefing/protests	and tasks performed
Other (lists)	Reconciles payments with work performance
Our or (mose)	Closes-out payments
	Performs cost accounting
Post-award:	Provides assistance to Contracting Officer in
Prepares delivery orders	settling claims
Reviews contractor work plans	Other (list)
Reviews contractor progress reports	
Monitors government-furnished property	Percentage of Time Spent on Contracts Management
Monitors cost, management, and overall technical	
performance of contract after award	% Continued

	problems/issues · ·
Pre-application/Application:	Participates in decisions/actions to ensure
Prepares solicitation for proposals	successful project completion and in decisions to
Identifies potential grantees for area of program	impose sanctions
emphasis	Approves payments requests or ACH drawdowns
Makes initial determinations (whether project is	Reviews requests for modifications, additional
procurement or assistance, whether agency has	funding, etc., and makes recommendations to
legal authority, whether applicant is eligible,	Grants Management Office
whether funding is available, etc.)	Negotiates amendments
Provides administrative information to applicants	Reviews Cost/Price/Analysis for recipient
Determines appropriateness of applicant's	contracts/change orders (Superfund only)
workplan/activities/budget and compliance with	When necessary, recommends termination of the
regulations and guidelines and negotiates changes	agreement Office
with applicant	Resolves with Grants Management Office
Assists applicant in resolving issues in application	administrative and financial issues
For cooperative agreement, determines substantial	Conducts periodic reviews to ensure compliance
Federal involvement and develops a condition for	with agreement
agreement	Other (list)
Negotiates level of funding	
Conducts site visits to evaluate program capability	Close-out:
Serves as resource to Selection Panel	Certifies deliverables were satisfactory and timely
Informs applicants of funding decisions	Provides assistance to recipients and Grants
Other (list)	Management Office to ensure timely close-out
	Reconciles payment with work performed
Award:	Notifies recipient of close-out requirements
Prepares funding package, including Decision	Obtains legal assistance if necessary to resolve
Memorandum	incomplete close-out
Obtains concurrences/approvals	If project is audited, responds to issues and ensures
Reviews/concurs in completed document	recipient complies with audit recommendations
Establishes project file	Other (list)
Other (list)	
	Percentage of Time Spent on Grants/Cooperative
Project Management/Administration:	Agreements Management
Monitors recipient's activities and progress	
Reviews reports and deliverables and notifies	%
recipient of comments	
Provides technical assistance to recipients	
Part 3. Interagency Agreements Duties	
Pre-Agreement:	Monitors cost management and overall technical
Plans and negotiates work effort	performance
Estimates costs	Participates in decisions about project
Obtains funding commitments	modification/termination
	Conducts periodic review of Superfund State
Prepares commitment notice	
Writes or reviews scope of work	Contracts payments receipts (Superfund only)
Writes or reviews scope of work Responds to pre-agreement inquiries	Contracts payments receipts (Superfund only) Inspects and accepts deliverables
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Writes or reviews scope of work Responds to pre-agreement inquiries Participates in pre-agreement conferences Coordinates with appropriate staff in developing Independent Government Cost Estimates (IGEs) Negotiates and ensures execution of Superfund State Contracts (Superfund only)	Contracts payments receipts (Superfund only) Inspects and accepts deliverables Other (list)  Close-out: Reviews final report Decides on disbursement of equipment
Writes or reviews scope of work Responds to pre-agreement inquiries Participates in pre-agreement conferences Coordinates with appropriate staff in developing Independent Government Cost Estimates (IGEs) Negotiates and ensures execution of Superfund State Contracts (Superfund only) Performs technical evaluation of work plan and	Contracts payments receipts (Superfund only) Inspects and accepts deliverables Other (list)  Close-out: Reviews final report Decides on disbursement of equipment Reconciles payments with work performed
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#### ADDENDUM TO ALL POSITION DESCRIPTIONS IN REGION 7

POSITION NUMBER:	TRAVEL: # days per month
	<b>TELEWORK:</b> Portability of Work%
MEDICAL MONITORING PROGRAM RE	COUIREMENTS
[] This position IS in the medical monitoring	<del>-</del>
M This position IS NOT in the medical mo	
Regional Safety & Health Office	
[] Compliance with EPA Order 3500.1, Ins	
[] Compliance with El A Order 5500.1, in	spector Training Program is required.
FINANCIAL DISCLOSURE FORM	
[] OGE-450 Required	CNSL Concurrence:
[] OGE-278 Required	
No financial disclosure forms required	
i per a samula distribution de quantità	
DRUG TESTING PROGRAM	
[] This position IS in the drug testing program	ram.
This position IS NOT in the drug testing	program.
Drug Testing Program Coordinate	
BARGAINING UNIT DESIGNATION	
Position is included in the [] NTEU (11	
Position is excluded from the BU (8888)	).
EVTDAMIDAL DECOLOCECMANACES	ADNO DIGUES
EXTRAMURAL RESOURCES MANAGEM	
This position has NO extramural resour	
	duties occupy less than 25% of the time and a
Position Description (PD) amendment is added	
Extramural Resources Management Duties Che	
	nt Duties occupy 25% to 50% of time. These
duties are indicated in a PD amendment added	
	ecklist and described in the position description.
L 3	nt duties occupy more than 50% of time. These
duties are indicated in the PD amendment adde	
Extramural Resources Management Duties Che	ecklist and described in the position description.
PROPERTY MANAGEMENT, PROPERTY	V ACCOUNTABILITY AND PROPERTY
UTILIZATION OF EPA'S REAL AND PEI	
This position has NO property managem	
utilization of real and/or personal property resp	
	ent Officer (PMO); [ ] Property Accountability
Officer (PAO); [] Property Utilization Officer	
	on Description (PD) amendment is added to the
	Management, Property Accountability and Property
Utilization Checklist.	zamagement, exertisely a mass and a section of
[] More than 25% is described in the posit	ion description.
	-
1 July 1 July	5/6/14 Date
Supervisor Signature	Date
(Attached to Original Position Description For	m dated 8/09) PD Addendum Form dated 3/21/13)

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Position Descri	iption Co	versheet (				1. Position No. X20012A		Incumbericy Allocation     May be IA'ed	Only?
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Ž			18, Position Sens	sitivíty	19. Security C	jearance		20. Position Risk	
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24. Position Classification				Official Title	of Position		Pay Plan	Occupational Code	Grade
a. Official Altocation	Paralegal Sp	pecialist					GS	0950	12
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28, Supervisory Certification Governmental functions for want that false or misteading s	shich I am respons statements may co	sible. This certifica enstitute violations	ation is made with kr	nowledge that this in	nformation is to be used regulations.	for statulory purposes relating	to appointm	position is necessary to can nent and payment of public f	ry out unds,
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Elyapa Sulin, Deputy	Regional Cor	unse\\				rski, Regional Counsel	y		
Signature		-		12.4.19	Signature	Clille	/_	12/c	4/19
20 20 20 20 20	· - C- Missinglion	**************************************		·	Information for Emok	ovees: The classification of the	he position m	nav be reviewed and correct	ed by the
29. Classification/Job Grad as required by Title 5, U.S. Cl Personnel Management or, if applicable published standars	code, in conformat I no published stat	tion with standards	published by the U.	S. Office of	agency or the U.S. Offi	ce of Personnel Management is on exemption from FLSA, is	Information	n on classification/job gradin	NG.
a. Typed Name and Title of C	Official Classifying	the Position			30. Position Classification Standards Used in Classifying/Grading Position				
Jennifer Je Signature	effires, HI	R Special	ist	Date	Paralegal Specialist, GS-0950, TS-16 August 1986				
	************								
/s/ Jennifer Je	effries						01 ANNO		3-045
31. Remarks 19 2629371									

# Instructions for Completing Environmental Protection Agency Position Description Coversheet

- Enter the position number used by the agency for control purposes.
- 2. Select one.
- 3. Select one:
  - * New the position has not previously existed.
  - * Redescription the duties and/or responsibilities of an existing position are being changed.
  - * Reestablish the position previously existed, but had been cancelled.
  - * Other covers such things as change in title or occupational series with change in duties or responsibilities.

The "Explanation" section should be used to show the reason if "Other" is checked, as well as any position(s) replace by position number, title, pay plan, occupational

- Enter geographic location by city and State (or by city and country if position is in a foreign country).
- Enter the Duty Station if different than Employing Office Location.
- 6. Enter the Bargaining Unit Status code.
- Selectione. If the position is a Career Ladder then select "See Remarks" and annotate the Grade and FLSA progression in #31 Remarks.
- 8. Select one.
- 9. Enter up to three (3) cybersecurity codes.
- 10. Selectione
- 11. Selectione.
- Enter the Competitive Level Code determined by the agency.
- 13. Enter the Competitive Area determined by the agency.
- 14. Select "Yes" or "No".
- 15. Enter Extramural Percentage.
- 16. Functional Class Code.
- 17. Select "Yes" or "No".
- 18. Select one:
- 19. Select one.
- 20. Select one.

- 21. Select "Yes" or "No".
- 22. Select "Yes" or "No".
- 23. Enter the Full Performance Level of the position.
- 24a. Enter the Official Position Title, Pay Plan, Occupational Code, and Grade of the position.
- Enter the Organizational Title of the position if different from the Official Title.
- 26. Enter the name of the Employee; if vacant, enter "Vacant".
- 27a. (Enter the 1st Tier Org Code and Org Description. For example, H0000000 Office of Mission Support.
- 27b. Enter the 2nd Tier Org Code and Org Description, if applicable: For example, HB000000 Office of Management and Administration Cincinnati.
- 27c. Enter the 3rd Tier Org Code and Org Description, if applicable. For example, HBA00000 Human Resources Management Division.
- 27d. Enter the 4th Tier Org Code and Org Description, if applicable. For example, HBAB0000 Headquarters Operations Branch.
- 27e. Enter the 5th Tier Org Code and Org Description, if applicable.
- 28a. Enter the Name and Title of the Immediate Supervisor, and apply electronic signature and date in the space provided below.
- 28b. Enter the Name and Title of the Higher-Level Supervisor or Manager, and apply electronic signature and date in the space provided below.
- 29a. Enter the Name and Title of Official classifying the position, and apply electronic signature and date in the space provided below.
- 30. Enter the position classification/job grading standard(s) used and the date of issuance.
- 31. This section may be used for additional coding requirements or for any additional remarks.

United States Enviro	onmental Protection Agency		I DIMENT OCUM	T ON	1			
POSITION DESCRIPTION COVERSHEET			1. DUTY LOCATION 2. POSITION NUMBER ORC 15 004					
3. CLASSIFICATION ACTION: a. Reference of Series and Date of Standards Used to Classify this Position						<b>T</b>		
Paralegal Specialist, GS-0950, TS-16 August 1986								
	b. Title			c. Pay Plan	d. Series	e. Grade	f. CLC	
Official	Developed On a sight	GS						
Allocation	Paralegal Specialist	ralegal Specialist			0950	12	001	
4. Supervisor's Recommendation	Paralegal Specialist			GS	0950	12		
5. ORGANIZATIONAL TITLE OF POSITION (if any)  6. NAME OF EMPLOYEE John F. Pickens, S. C.								
7. ORGANIZATION (Give complete organizational breakdown)			e. Denver, CO 80202					
a. U.S. ENVIRON	MENTAL PROTECTION AGENCY	f.				<del></del>		
b. Region 8			g.			· , , , , , , , , , , , , , , , , , , ,		
c. Office of Reg	gional Counsel		h. Employing Offi	ce Location Der	nver, CO			
d. 1595 Wynko	pop Street		i. Organization Co	XE0000	00			
8. SUPERVISORY	YSTATUS		1					
<ul> <li>□ [2] Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position classification standards.</li> <li>□ [4] Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of the GSSG.</li> <li>□ [5] Management Official. Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10).</li> <li>□ [6] Lead Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part 1 of the Work Leader Grade Evaluation Guide (WLGEG) or is under a wage system and meets similar minimum requirements as specified by those job standards or other directives of the applicable pay system.</li> <li>□ [7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGEG.</li> <li>☑ [8] All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position.</li> <li>9. SUPERVISORY CERTIFICATION I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational</li> </ul>								
relationships and that t information is to be use statutes or their implen	he position is necessary to carry out gove ed for statutory purposes relating to appo- nenting regulations.	rnmental functions for wh intment and payment of pu	ich I am responsible. Tablic funds, and that fals	he certification is r se or misleading sta	nade with the know tements may con	owledge that this stitute violation	is as of such	
	d Title of Immediate Supervisor	<del></del>	d. Typed Name a	nd Title of Seco	nd-Level Supe	rvisor		
Paul Logan, Deputy Regional Counsel W. Robert Ward, Regional Counsel								
b. Signature		c. Date	e. Signature	7 ~		f. Dat	e /	
11/11/16	1/11/1/ 12/1/1/1/ ( 21/11-12)						-//<	
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10. OFFICIAL CLASSIFICATION CERTIFICATION: I certify that this position has been classified graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.								
a. Promotion Potential  This position has no promotion potential  If position develops as planned and employee progresses satisfactorily, this position has known								
b. PSB Risk Designation c. Financial Disclosure Form d. "Identical, Additional" (IA) e. FLSA Determination f. Functional								
☑ l Low	☐ OGE-450 Required Allocation This position			□ NONEXEM	РТ 🛭 ЕХЕМР		ification	
☐ 2 Moderate ☐ 3 High	☐ OGE-278 Required ☑ No financial disclosure	May be IA'ed ☐ may not be IA'ed		(*check exempt		Code		
Security Clearance			Area current incumbent	☐ Administrati ☐ Professional	ve 🗆 Executiv	·e	00	
Required: 🗆 Yes 🗀 No								
g. Bargaining h. Check, if applicable:  In Medical Manitoring Required  i. Classifier's Signature  j. Date							te	
1361						ıF		
	This position is subject to random d		<del></del>	1117 24 06	111123	<u> </u>		
* Proviously classified by Jennifer Jaffres.								

#### **INSTRUCTIONS**

#### I. ITEMS

- 1) DUTY LOCATION: Show the geographical location of the position, e.g., Washington D.C., New York, NY, etc.
- 2) POSITION NUMBER: To be completed by Human Resources Office or Shared Service Center.
- 3) CLASSIFICATION ACTION: To be completed by Human Resources Office or Shared Service Center.
- 4) SUPERVISOR'S RECOMMENDATION: Show the title service (GS, WG, etc) series and grade recommended by the supervisor.
- 5) ORGANIZATIONAL TITLE: Indicate the organizational title of the position if any, e.g., Division Director, Team Leader, etc.
- 6) NAME: Name of Employee. If vacant, indicate "vacancy."
- 7) **ORGANIZATION:** Show the organizational designation of the position starting with the first subdivision under the EPA. Indicate the official organizational code for the lowest approved organization.
- 8) SUPERVISORY/MANAGERIAL DESIGNATION: To be completed by immediate supervisor.
- 9) SUPERVISORY CERTIFICATION: To be certified by the first and second line supervisors who are delegated the responsibility for assigning and reviewing work. Reference appropriate delegations, manuals, and guidelines for limitations on signatory authority. Approval by second line supervisors is not required if the immediate supervisor is an Assistant Administrator, Regional Administrator or Laboratory Director. Signing the position description is an important responsibility; any intentional false or misleading statement in this description or willful misrepresentation thereto is a violation of the law punishable by a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both (18 U.S.C. 1001).
- 10) OFFICIAL CLASSIFICATION CERTIFICATION: To be completed by Human Resources Office or Shared Service Center.
- 11) REMARKS: To be completed by Human Resources Office or Shared Service Center.

#### II. ADDITIONAL INSTRUCTIONS

Type the duties and responsibilities of this position on plain bond paper and attach to this form.

For specific instructions on how to complete this form, please contact your Human Resources Office or Shared Service Center.

#### III. DISTRIBUTION

Original to official position description file in the Human Resources Office. Copy to Official Personnel Folder (OPF)
Copy to Employee

#### PARALEGAL SPECIALIST GS-0950-12

#### Introduction

and the leage Enforcement Program. This paralegal specialist position is located in the Office of Regional Counsel. The incumbent is instrumental in the development, preparation, enforcement and settlement of cases initiated under EPA's regulatory programs, including cases under the Clean Air Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation Act, the Clean Water Act, the Safe Drinking Water, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and the Oil Pollution Act, as well as under EPA's criminal enforcement program. The incumbent is required to coordinate with a full range of program areas including the program offices, Criminal Investigation Division, the Office of External Programs, EPA Headquarters, the Department of Justice and as necessary the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission, as well as the ability to manage information in databases and other electronic formats.

#### Major Duties

- 1. Under the direction of a regional staff attorney, assists in the preparation of administrative actions under regulatory programs, including drafting correspondence and legal documents; preparing administrative records; supporting negotiations; coordinate the preparation of the legal documents with the regional attorney and, as appropriate, the regional technical staff Also performs tasks necessary for debt collection. This coordination includes discussion, examination, evaluation and management of information obtained from a variety of resources.
- 2. Assists the regional staff attorney in preparation for administrative and civil litigation including drafting correspondence, drafting the litigation report consistent with guidance. preparation of discovery documents, administrative records, pleadings, affidavits, motions to dismiss, motions for summary judgment and other documents. In so doing, the incumbent selects summarizes, compares, interprets and compiles data, information and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Conducts legal research on a variety of legal issues and provides statutory interpretation by research statutes, legislative history, policy and guidance. Assists with the preparation of legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search. Coordinates with the enforcement program including setting up regular calls with DOJ and tracking outstanding issues, helping to ensure that enforcement commitments are met.
- 3. Oversees and uses complex electronic discovery databases and IT tools and trains ORC and LEP attorneys and other regional staff on the use of these tools. Participates on national discovery

workgroups and communicates workgroup activities to others in ORC. Conducts legal research and stays up to date on current case law and agency practices regarding civil discovery.

Coordinate responses to discovery requests and serves as the primary point of contact for the collection, processing, review, and production phases of discovery. Helps prepare privilege logs and supporting affidavits. Tracks and maintains the litigation hold database for the Region.

- 4. Organizes and maintains files for complex cases. Obtains and reviews reports, correspondence and court documents. Evaluates and initiates comprehensive files which allows for quick document retrieval. Coordinates with technical staff, contractors and others to obtain documents necessary for a current and accurate file system. Manages the ORC records systems including maintaining the database for ORC records, handling archiving, and coordinating retrieval of records.
- 5. Responsible for responding to requests under the Freedom of Information Act (FOIA). Performs analysis, evaluation and review of documents, contacts and coordinates with other Office of Regional Counsel personnel, program personnel, OGC personnel and the requestor, as appropriate, while adhering to the procedures specified under FOIA. Keeps abreast of FOIA law, regulations, judicial precedents, Agency FOIA practices and Information Technology tools.
- 6. Provides investigative or technical support in civil/criminal matters. Investigates facts concerning violations of federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilized sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, various information gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interview fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit. Supports CERCLA cost recovery efforts by investigating potential sources of money and preparing memoranda.
- 7. Prepares for, attends and participates in conferences with industry representatives, state or local officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with the federal judge or magistrate and meetings related to cases such as public meetings. Prepares for grand-jury presentations and attends and assists at trial or hearing. Prepares reports and charts and provides information requested on ORC activities in both narrative and statistical formats such as citizen suit tracking charts.
- 8. Reviews reported case law. Selects and analyzes decision, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.
- 9. Conducts legal research on a variety of legal issues. Provides statutory and regulatory interpretation for Agency personnel by researching statutes, legislative history, regulations and governing policy. Prepares appropriate legal memoranda or other appropriate summary to support conclusions reached, reviewing all sides of issues raised as a result of research.

Searches for supportive material on own initiative from the variety of sources.

- 10. Acts as a resource and mentor for other paralegals within the Office of Regional Counsel and LEP Maintains contact with other regional paralegals through networking and formalized structure.
- 11. Performs other duties as assigned.

Factor 1 - Knowledge Required by the Position - Level 1-7 - 1250 Points Knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statutes and regulations administered by the office and various actions utilized to implement them.

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions, FOIA responses, and ediscovery.

A general knowledge of business principles and techniques, including information technology tools, and ability to apply them in analyzing voluminous, complex and often incomplete records.

Ability to conduct interviews; recognize, explore and develop leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant.

Ability to use Westlaw, Lexis, and other computer assisted legal research, records management and ediscovery tools as well as traditional law library case books, reporters and trade publications.

Skill in oral and written communication, to prepare reports, memoranda and affidavits; to consult with and document communications with agency personnel and FOIA requesters, all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

#### Factor 2 - Supervisory Controls -

Level 2-4 - 450 Points

Incumbent works independently, making independent judgments as to priority of work and case requirements. Proceeds on own initiative and in accordance with Agency policies and practices, exercising personal knowledge and experience in planning, directing, organizing and coordinating work to be accomplished by target dates. Assignments are performed independently with broad latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence, and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the immediate supervisor apprised of activities when problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy. Incumbent works with minimal supervision from case attorney and under pressure of court imposed time constraints.

#### Factor 3 - Guidelines -

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations, many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered. Incumbent plans, directs, advises and coordinates assigned activities within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations may vary from the guidelines and incumbent must use specialized knowledge of law and regulations, and previous experience.

#### Factor 4 - Complexity -

Level 4-4 - 225 Points

The work is complex and requires the ability to adapt readily to new or changing procedures and technologies, and requires the incumbent to keep abreast of new case law, regulations and changing agency policies. The duties require the ability to interpret, research and apply case law, regulations, and policy to issues and cases assigned. Changes in the law and/or policy, or technologies, require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required. The ability to work under pressure of tight time constraints is required.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, litigation, FOIA, and the criminal program. Oftentimes the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines.

The work includes varied duties requiring many different and unrelated processes and methods applied to a broad range of activities or substantial depth of analysis typical for an administrative or professional field. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technological developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative technique and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development or other activities. Duties may require the reconstruction of events from circumstantial evidence.

#### Factor 5 - Scope & Effect -

Level 5-4 - 225 Points

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Office of Regional Counsel and LEV. Incumbent serves as the focal point of paralegal expertise and assists in the preparation and response to civil discovery and FOIA requests and in the development of environmental cases or the defense of the Agency's actions, under the Clean Air Act, Federal Insecticide, Fungicide and Rodenticide Act; Toxic Substances Control Act; Emergency Planning and Community Right-to-Know Act; Clean Water Act; Safe Drinking Water Act; Resource Conservation and Recovery Act; and Comprehensive Environmental Response. Compensation and Liability Act, Freedom of Information Act.

The incumbent assists-in the development of litigation reports. The purpose of this work is to investigate, plan, review, and recommend decisions on enforcement cases and to supplement the efforts of the attorneys in this endeavor.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. Incumbent advises attorneys and program staff an interpretation of findings and highly specialized problems of case development. The work includes extensive coordination between and among multiple offices within the Agency and with the Department of Justice.

Incumbent researches unsettled issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria; formulating projects; investigating or analyzing a variety of unusual legal problems, issues or questions; resolving complex technical legal and administrative issues on a case-by-case basis that may lead to recommendations for enforcement action.

Incumbent works independently on a wide variety of information gathering activities apart from enforcement/defense related matters that frees the attorneys from these tasks. This allows the attorneys to develop cases and provide advice to clients with greater efficiency.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other department or agencies in the federal, state and local governments.

#### Factor 6 - Personal Contacts -

Level 6-3 - 60 Points

Personal contacts include meeting with other employees of the regional office, other EPA regional offices, EPA Headquarters, the Department of Justice, state and local governments and the regulated community. Contacts with the public or regulated community may include FOIA requesters, corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated community. On occasion,

personal contacts may also include staff of Congressional members and staff of elected representatives of state and local governments.

#### Factor 7 - Purpose of Contacts -

Level 7-3 - 120 Points

The principal purpose of contacts with the regulated community will be to influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations, and to communicate regarding processing of FOIA responses. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial enforcement proceedings. The principal purpose of contact with representatives of federal, state and local government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests. Tact and diplomacy must be applied to influence uncooperative and skeptical persons and respondents who are often unfamiliar with the rules and regulations governing Agency policy.

#### Factor 8 - Physical Demands -

Level 8-1 - 5 Points

Most of the work is sedentary. No special physical demands are required other than ordinary physical activity in an office setting, such as walking, standing, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation as may be required. Work requires concentrated periods of time requiring reading fine detail on computer screens. On occasion, the paralegal will be required to travel in connection with case assignments and/or training.

#### Factor 9 - Work Environment -

Level 9-1 - 5 Points

Work is performed in an office setting in close proximity with co-workers as in a typical work environment. Visits sometimes have to be made to courthouse, records centers or other places away from the usual work station. Work environment involves the normal risks and discomforts typical of an office environment. Travel by commercial means may be required.

Total Points = 2790 (2755-3150 = GS-12)

#### **Extramural Resources Management Duties Checklist**

This checklist must be used with all PDs to identify the percentage of time an employee is engaged in duties related to managing contracts, grants, cooperative agreements, and interagency agreements. For positions requiring performance of these duties for 25% or more of the employees time, in addition to this checklist, such duties must also be described in the body (major duties area) of the PD

Employee Information			Percentage of Time Spent on Extramural Resources Management				
Name			X	This position has no extramural resources			
				management responsibilities.			
Position Number ORC-15-004				Total extramural resources management duties			
			!	occupy less than 25% of time.			
Title Paralegal Specialist		:	:	Total extramural resources management duties			
			occupy 25% to 50% of time. These duties are				
				indicated below and described in the position			
			<u>:</u>	description.			
Series/Grade GS-0950-11/12			İ	Total extramural resources management duties			
				occupy more than 50% of time. These duties are			
			<u> </u>	indicated below and described in the position			
			1	description.			
Organization U.	S. EPA, ORC, Region 8		Market Market				
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When this checklis	it is used as an amendment to a	positic	on des	scription, the following signatures are required:			
Supervisor's Signa	iture /////			Date 3/5//5			
Personnel Specialist's				Date (33.18.5			
Signature		<u></u>					
Part 1. Contracts Ma	nagement Duties						
- all ii oondades isa		:	<u> </u>	Monitors management and performance of			
Pre-award:	*			delivery orders/work assignments after award			
Plans Procure	ements		Defines scope of work for work assignments				
Estimates Cos	professional contract etc. 1, 21 p. 10 cg., 1 million etc. 10 million, debias de l'incident de l'incident de l		Approves payment requests of ACH drawdowns				
	ng committments			Manages cost-reimbursement contracts			
Prepares procurement requests				Reviews invoices			
Writes statem	the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the s	1		Inspects and accepts deliverables			
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	pre-award conferences		Clos	se-out:			
	hnical evaluation of proposals			Writes reports on contractor performance, costs,			
	n debriefing/protests		and tasks performed				
Other (lists)		į	Reconciles payments with work performance				
			Closes-out payments				
			Performs cost accounting				
Post-award:			Provides assistance to Contracting Officer in				
Prepares deli			-	settling claims			
Reviews contractor work plans			4	Other (list)			
	ractor progress reports		<u></u>				
Monitors government-furnished property			Perc	centage of Time Spent on Contracts Management			
Monitors cost, management, and overall technical							
performance o	f contract after award	<u> </u>		% Continued			

Part 2. Grants/Cooperative Agreements Duties	Advises Grants Management Office of potential
Pagantingting/Auglingting	problems/issues
Pre-application/Application:	Participates in decisions/actions to ensure
Prepares solicitation for proposals	successful project completion and in decisions to
Identifies potential grantees for area of program	impose sanctions
emphasis	Approves payments requests or ACH drawdowns
Makes initial determinations (whether project is	Reviews requests for modifications, additional
procurement or assistance, whether agency has	funding, etc., and makes recommendations to
legal authority, whether applicant is eligible.	Grants Management Office
whether funding is available, etc.)	Negotiates amendments
Provides administrative information to applicants	Reviews Cost/Price/Analysis for recipient
Determines appropriateness of applicant's	
	contracts/change orders (Superfund only)
workplan/activities/budget and compliance with	When necessary, recommends termination of the
regulations and guidelines and negotiates changes	agreement
with applicant	Resolves with Grants Management Office
Assists applicant in resolving issues in application	administrative and financial issues
For cooperative agreement, determines substantial	Conducts periodic reviews to ensure compliance
Federal involvement and develops a condition for	with agreement
agreement	Other (list)
Negotiates level of funding	i ·
Conducts site visits to evaluate program capability	Close-out:
Serves as resource to Selection Panel	Certifies deliverables were satisfactory and timely
Informs applicants of funding decisions	Provides assistance to recipients and Grants
Other (list)	Management Office to angues timely place
Outor (not)	Management Office to ensure timely close-out
ard:	Reconciles payment with work performed
	Notifies recipient of close-out requirements
Prepares funding package, including Decision	Obtains legal assistance if necessary to resolve
Memorandum	incomplete close-out
Obtains concurrences/approvals	If project is audited, responds to issues and ensures
Reviews/concurs in completed document	recipient complies with audit recommendations
Establishes project file	Other (list)
Other (list)	
	<u>_ii</u>
	Percentage of Time Spent on Grants/Cooperative
	Percentage of Time Spent on Grants/Cooperative Agreements Management
ject Management/Administration: Monitors recipient's activities and progress	Percentage of Time Spent on Grants/Cooperative Agreements Management
Monitors recipient's activities and progress Reviews reports and deliverables and notifies	Agreements Management
Monitors recipient's activities and progress	Percentage of Time Spent on Grants/Cooperative Agreements Management %
Monitors recipient's activities and progress Reviews reports and deliverables and notifies	Agreements Management
Monitors recipient's activities and progress Reviews reports and deliverables and notifies recipient of comments Provides technical assistance to recipients	Agreements Management
Monitors recipient's activities and progress Reviews reports and deliverables and notifies recipient of comments Provides technical assistance to recipients	Agreements Management
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Monitors recipient's activities and progress Reviews reports and deliverables and notifies recipient of comments Provides technical assistance to recipients  3. Interagency Agreements Duties  Agreement: Plans and negotiates work effort	Monitors cost management and overall technical performance
Monitors recipient's activities and progress Reviews reports and deliverables and notifies recipient of comments Provides technical assistance to recipients  t 3. Interagency Agreements Duties  Agreement: Plans and negotiates work effort Estimates costs	Monitors cost management and overall technical performance Participates in decisions about project
Monitors recipient's activities and progress Reviews reports and deliverables and notifies recipient of comments Provides technical assistance to recipients  t 3. Interagency Agreements Duties  Agreement: Plans and negotiates work effort Estimates costs Obtains funding commitments	Monitors cost management and overall technical performance Participates in decisions about project modification/termination
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#### **POSITION RISK & SENSITIVITY DESIGNATION CHECKLIST**

Position's Organization: Office of Regional Counsel						
Position Title: Paralegal Specialist						
Pay Plan/Series/Grade (Full Performance Level): GS/0950/12						
Service Agreement Number (SAN): 19BV5800327						
Supervisor Name: Elyana Sutin Supervisor Phone Number: 303-312-6899						
Supervisor Signature: 12.4.19						
STANDARDIZED POSITIONS						
Position Title						
Select One						
NON-STANDARDIZED POSITIONS  For All Non-Standardized positions, provide the following information:						
Does the position require access or eligibility for access to classified information?	Yes	( No				
If Yes, Select						
	Over	(A) N/=				
2. Does the position involve National Security duties? Yes No						
If Yes, Select						
3. Does the position involve fiduciary responsibilities/obligation or approval of funds?	Yes	<ul><li>No</li></ul>				
If Yes, Select						
4. Does the position involve public contact/interaction/liaison duties?	Yes	<ul><li>No</li></ul>				
Federal Agency Interest Groups Agency Local Agency	Tribal Gove	rnment				
Academia Private Industry State Media	General Pul	blic				
5. Does the position involve access to or control over personal, private, sensitive but unclassified, controlled classified, or proprietary information?	Yes	○No				
If Yes, Explain:		****				
6. Does the position require access to or control over hazardous or dangerous material (toxic, nuclear, biological, chemical, radiological)?	○Yes	ONo				
If Yes, Explain:						
7. Does the incumbent make independent decisions or authoritative recommendations not subject to substantive verification or supervisory approval/sign off?	Yes	O No				
if Yes, Explain:						

^{*}Supervisors, GS-14 and above positions, and scientific/engineering positions are at least non-sensitive, moderate risk. Division Directors and Deputy Directors are at least non-sensitive, high risk. Criminal Investigator positions are always critical-sensitive, high risk.

			S ENVIRONME							
Position Description Coversheet (Please read instructions on ba						011111111111111111111111111111111111111	Incumbency Allocation Only?     May be IAed			
Reason for Submission     4. Employing Office		ce Location	5. Duty	5. Duty Station			6. BUS Code			
Other		San Francisc	o CA	San Francisco, CA				(b) (6)		
Explanation (Show any positions replaced) 7. Fair Labor Stand			ndards Act	8. Fina	ancial Statem	ents Required		8. Cybersecurity Code 000		
NonExempt						isclosure Required		a		
Paralegal Specialist GS-0950-11 10. Position Status			IS	1	pervisory Sta			b		
		etitive		II Other P			and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. and C. an			
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and that false or misleading statem	ents may constitute violation			regulations.				on all payment or pool		
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29. Classification/Job Grading C			classified/graded	Information for	Employees	: The classification of th	e position m	nay be reviewed and corn		
as required by Title 5, U.S. Code, in Personnel Management or, if no pu								n on classification/job gra om the personnel office o		
applicable published standard .				of Personnal Management.						
a. Typed Name and Title of Official Classifying the Position				30. Pesition Classification Standards Used in Classifying/Grading Position						
Barb Morwessel, HR Specialist			10-1-	U.S. OPM Paralegal Specialist Series, GS-0950 TS-76 August 19			st 1986			
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/S/ Barb Morwessel			07/17/2018							
31. Remarks										
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NOTE: DO NOT print this form. Printing will disable the electronic signature features. This form will not be accepted if it is printed and scanned.

### Instructions for Completing Environmental Protection Agency Position Description Coversheet

- 1. Enter the position number used by the agency for control purposes.
- 2. Select one.
- 3. Select one:
  - * New the position has not previously existed.
  - * Redescription the duties and/or responsibilities of an existing position are being changed.
  - * Reestablish the position previously existed, but had been cancelled.
  - * Other covers such things as change in title or occupational series with change in duties or responsibilities.
  - The "Explanation" section should be used to show the reason if "Other" is checked, as well as any position(s) replace by position number, title, pay plan, occupational
- 4. Enter geographic location by city and State (or by city and country if position is in a foreign country).
- Enter the Duty Station if different than Employing Office Location.
- 6. Enter the Bargaining Unit Status code.
- Select one. If the position is a Career Ladder then select "See Remarks" and annotate the Grade and FLSA progression in #31 Remarks.
- 8. Select one.
- 9. Enter up to three (3) cybersecurity codes.
- 10. Select one
- 11. Select one.
- Enter the Competitive Level Code determined by the agency.
- 13. Enter the Competitive Area determined by the agency.
- 14. Select "Yes" or "No".
- 15. Enter Extramural Percentage.
- 16. Functional Class Code.
- 17, Select "Yes" or "No".
- 18. Select one.
- 19, Select one.
- 20. Select one.

- 21 Select "Yes" or "No".
- 22. Select "Yes" or "No".
- 23. Enter the Full Performance Level of the position.
- 24a. Enter the Official Position Title, Pay Plan, Occupational Code, and Grade of the position.
- Enter the Organizational Title of the position if different from the Official Title.
- 26. Enter the name of the Employee; if vacant, enter "Vacant".
- 27a. (Enter the 1st Tier Org Code and Org Description. For example, H0000000 Office of Mission Support.
- 27b. Enter the 2nd Tier Org Code and Org Description, if applicable. For example, HB000000 Office of Management and Administration - Cincinnati.
- 27c. Enter the 3rd Tier Org Code and Org Description, if applicable. For example, HBA00000 Human Resources Management Division
- 27d. Enter the 4th Tier Org Code and Org Description, if applicable. For example, HBAB0000 Headquarters Operations Branch.
- 27e. Enter the 5th Tier Org Code and Org Description, if applicable.
- 28a. Enter the Name and Title of the Immediate Supervisor, and apply electronic signature and date in the space provided helow.
- 28b. Enter the Name and Title of the Higher-Level Supervisor or Manager, and apply electronic signature and date in the space provided below.
- 29a. Enter the Name and Title of Official classifying the position, and apply electronic signature and date in the space provided below.
- 30. Enter the position classification/job grading standard(s) used and the date of issuance.
- 31. This section may be used for additional coding requirements or for any additional remarks.

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## PARALEGAL SPECIALIST GS-0950-11

#### INTRODUCTION

This paralegal specialist position is located in the Immediate Office in the Office of Regional Counsel. The position reports to the Deputy Regional Counsel.

The incumbent gains experience in the development, coordination, organization and processing of Freedom of Information Act and eDiscovery requests and proceedings. The incumbent also assists in the development, preparation, enforcement, defense and settlement of civil and criminal cases initiated under EPA 's regulatory programs, including cases under the Clean Air Act, Clean Water Act, Toxics Substances Control Act, Federal Insecticide, Fungicide arid Rodenticide Act, Safe Drinking Water Act, Comprehensive Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act, Emergency Planning and Community Right to Know Act, Marine Protection, Research and Sanctuaries Act, National Environmental Policy Act, Oil Pollution Act, other federal environmental laws, Indian Law, and general federal laws dealing with personnel, ethics, civil rights, grants and appropriations. The incumbent is also responsible for implementing administrative processes and electronic systems within the Office, including FOIA, eDiscovery, travel, budget and time-keeping systems. The incumbent is required to coordinate assigned with a full range of program areas, including the program offices, Criminal Investigation Division, EPA Headquarters, the Department of Justice and as necessary, the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission, as well as the ability to manage information in databases, record management systems, and other electronic formats.

#### MAJOR DUTIES AND RESPONSIBILITIES

- ** FOIA and eDiscovery Duties 50%
- 1. Responsible for coordinating and managing responses to FOIA requests as part of centralized Regional FOIA Team. Coordinates, tracks and processes FOIA requests while adhering to the procedures specified under FOIA and Agency guidance. Serves as point of contact in communicating with requesters . Contacts and coordinates with Regional FOIA Team, other ORC personnel, program personnel, and OGC and OEI personnel, as appropriate. Oversees and uses agency electronic systems for processing FOIA requests, including FOIAOnline, Relativity, Adobe Pro, and Office 365 systems. Performs analysis, evaluation, review and coding of documents. Performs analysis and evaluation and prepares reports on regional FOIA workflow. Keeps abreast of FOIA law, regulations, judicial precedents, Agency FOIA practices and Information Technology tools. Participates on national FOIA workgroups and communicates workgroup activities to others in ORC.
- 2. Utilizes complex electronic discovery and records processing databases and IT tools (e.g. Relativity, Adobe Pro, Office 365, etc.) and trains ORC attorneys and other regional staff on the

use of these tools. Participates on national discovery workgroups and communicates workgroup activities to others in ORC. Conducts legal research and stays up to date on current case law and agency practices regarding civil discovery. Coordinates responses to discovery requests and serves as a point of contact for the collection , processing, review, and production phases of discovery. Helps prepare privilege logs and supporting affidavits.

3. Organizes and maintains files for complex cases. Obtains and reviews reports, correspondence and court documents. Evaluates and initiates comprehensive files which allows for quick document retrieval. Coordinates with technical staff, contractors and others to obtain documents necessary for a current and accurate file system. Manages the ORC records system, including maintaining databases for ORC records, handling archiving and storage in federal record repositories, including the Regional Records Center, and coordinating retrieval of records, including using the Region's Versatile system.

#### ** Paralegal Support Duties 30%

- 1. Assists the regional staff attorney in preparation for administrative and civil litigation, including drafting correspondence, drafting litigation reports consistent with guidance, preparation of discovery documents, administrative records, pleadings, affidavits, motions to dismiss, motions for summary judgment and other documents. In so doing, the incumbent selects, summarizes, compares, interprets and compiles data, information, and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Conducts legal research on a variety of legal issues and provides statutory interpretation by researching statutes, legislative history, policy and guidance. Prepares legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search. Coordinates with the enforcement program, including participating in regular calls with DOJ and tracking outstanding issues, helping to ensure that enforcement commitments are met.
- 2. Under the direction of a regional staff attorney, assists in the preparation of administrative actions under regulatory programs, including drafting correspondence and legal documents; preparing administrative records; and supporting negotiations.
- 3. Provides investigative or technical support in civil/criminal matters. Investigates facts concerning violations of federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilizes sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, information-gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interviews fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit. Supports CERCLA cost recovery efforts by investigating potential sources of money and preparing memoranda.
- 4.Participates in conferences with industry representatives, state, local, or tribal officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with federal judges or magistrates or EPA Administrative Law Judges, and meetings related to cases such as public meetings. Provides input for grand-jury presentations and attends and assists at trail or

hearing. Prepares reports and charts and provide information requested on ORC activities in both narrative and statistical formats such as citizen suit tracking charts.

- 5. Reviews reported case law. Selects and analyzes decisions, opinions, memoranda and other pertinent legal materials related to environmental law to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.
- ** Administrative Support Duties 20%
- 1. As needed, assists with all administrative processes and electronic systems (e.g. PeoplePlus, CONCUR, HR line of Business, correspondence tracking, periodic on-line training requirements, etc.). Acts as resource for administrative and professional staff to ensure timely, accurate and efficient use of these systems. Participates in the efficient operation of daily business of the Office, including ensuring the efficient flow of the Office's incoming and outgoing mail operations. Assists with planning and scheduling travel itineraries, booking reservations, and obtaining tickets. Assists with preparation, planning and facilitation of meetings and work sessions. Helps plan, coordinate, procure space and develop required materials for public meetings, hearings, conference and national and Regional meetings. Facilitates communication between Regional programs and state and national programs. Maintains license and serves as a Notary Public for the Region.
- 2. Performs other duties as assigned.

#### FACTOR 1. KNOWLEDGE REQUIRED

LEVEL 1-7 1250 POINTS

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review, evaluation, and processing of FOIA requests and eDiscovery.

Knowledge of civil and criminal provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statues and regulations administered by the Office and various actions utilized to implement them.

Legal skills and proficiency sufficient to perform extensive and thorough legal research into the legislative history, precedent cases, decisions, and opinions that may be applicable to particular legal matters.

Legal skills and proficiency sufficient to investigate and become thoroughly familiar with subject matter details involved in a case or legal matter; determine the specific data needed and best approach to obtain this data or to determine relevance or sufficiency of available legal and technical or other related data.

Knowledge of the Agency's mission and the skill to interpret and apply the federal environmental statutes and the Agency's policies, regulations, objectives and guidance as they relate to the enforcement of administrative actions.

A general knowledge of business principles and techniques, including information technology tools, and ability to apply them in analyzing voluminous, complex and often incomplete records. Ability to use Lexis, Relativity, Adobe Pro, and other computer assisted legal research, records management and eDiscovery tools as well as traditional law library case books, reporters and trade publications.

Skill in oral and written communication, to prepare reports, memoranda and affidavits; to consult with and document communications with agency personnel and FOIA requesters, all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

#### FACTOR 2. SUPERVISORY CONTROLS

#### LEVEL 2-3 275 POINTS

The employee works under the general supervision of the Regional Counsel and reports directly to the Deputy Regional Counsel. The supervisor makes assignments by defining objectives, priorities, and deadlines, and assists the employee with unusual situations which do not have clear precedents. The paralegal specialist independently carries out assignments and resolves problems and deviations in line with previous training and agency policies, precedents, directives, and practices. The supervisor reviews work for technical soundness and conformity to requirements by auditing completed case records, briefs, dispositions, or other documents, and through discussion of cases. The review focuses on the soundness of the end product rather than the adequacy or type of method employed to produce the product.

#### **FACTOR 3. GUIDELINES**

#### **LEVEL 3-4 450 POINTS**

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations, many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered. Similarly, incumbent uses initiative and resourcefulness to evaluate and develop responses to claims in defensive litigation. Incumbent plans, directs, advises and coordinates assigned activities within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations may vary from the guidelines and incumbent must use specialized knowledge of law and regulations, and previous experience.

### **FACTOR 4. COMPLEXITY**

#### LEVEL 4-4 225 POINTS

The work is complex and requires the ability to adapt readily to new or changing procedures and technologies and requires the incumbent to keep abreast of new case law, regulations and changing agency policies. The duties require the ability to interpret, research and apply case law, regulations, and policy to issues and cases assigned. Changes in the law and/or policy, or technologies, require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints,

consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required. The ability to work under pressure of tight time constraints is required.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, litigation, FOIA, and the criminal program. Often the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often-subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines. The work includes various duties requiring different and unrelated processes and methods applied to a broad range of activities or substantial depth of analysis typical for an administrative or professional field.

Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technological developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development or other activities. Duties may require the reconstruction of events from circumstantial evidence.

#### **FACTOR 5. SCOPE AND EFFECT**

#### LEVEL 5-3 150 POINTS

The purpose of the work is to gather, arrange, analyze, evaluate, and control information and evidence needed for processing and contributing to litigation reports. Conducts legal research on a variety of legal issues and provides input to discovery requests. Successful accomplishment of the work facilitates the work of attorney-advisors. The incumbent is assigned specific legal assignments that vary from case to case. Incumbent may refer to Supervisor or Attorneys as needed but work is performed independently on precedented cases. The accuracy of the incumbent's activities contributes to the accomplishment of the assigned Agency mission and efficiency of the Office of the Regional Counsel and external customers' livelihood and businesses.

#### FACTOR 6. PERSONAL CONTACTS

#### LEVEL 6-3 60 POINTS

Personal contacts through oral and written communication are at all levels in the legal community, up to the highest level. Such contacts include meeting with other employees of the Regional office, other EPA regional offices, EPA Headquarters, the Department of Justice, state, local and tribal governments and the regulated community. Contacts with the public or regulated community may include. eFOIA requesters, private citizens, representatives of nongovernmental organizations, corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated

community. On occasion, personal contacts may also include staff of · Congressional members and staff of elected representatives of state, local and tribal governments.

#### **FACTOR 7. PURPOSE OF CONTACTS**

#### LEVEL 7-3 120 POINTS

The primary purpose of contacts with the public and regulated community will be to influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations, and to communicate regarding processing of FOIA requests. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial proceedings. The principal purpose of contact with representatives of federal, state, local and tribal government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests. Tact and diplomacy must be applied to influence uncooperative and skeptical persons and respondents who are often unfamiliar with the rules and regulations governing Agency policy.

#### **FACTOR 8. PHYSICAL DEMANDS**

**LEVEL 8-1 5 POINTS** 

The work requires some walking and carrying light items such as paper, files, and books. No special physical qualifications are required to perform the work.

#### FACTOR 9. WORK ENVIRONMENT

**LEVEL 9-1 5 POINTS** 

The work is performed in an office setting in close proximity with co-workers as in a typical work environment.

**TOTAL POINTS: 2540** 

GRADE: GS-11

### PARALEGAL SPECIALIST GS-0950-12

#### INTRODUCTION

This paralegal specialist position is located in the Immediate Office in the Office of Regional Counsel. The position reports to the Deputy Regional Counsel.

The incumbent is instrumental in the development, coordination, organization and processing of Freedom of Information Act and eDiscovery requests and proceedings. The incumbent is also instrumental in the development, preparation, enforcement, defense and settlement of civil and criminal cases initiated under EPA's regulatory programs, including cases under the Clean Air Act, Clean Water. Act, Toxics Substances Control Act, Federal Insecticide, Fungicide and Rodenticide Act, Safe Drinking Water Act, Comprehensive Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act, Emergency Planning and Community Right to Know Act, Marine Protection, Research and Sanctuaries Act, National Environmental Policy Act, Oil Pollution Act, other federal environmental laws, Indian Law, and general federal laws dealing with personnel, ethics, civil rights, grants and appropriations. The incumbent is also responsible for implementing administrative processes and electronic systems within the Office, including FOIA, eDiscovery, travel, budget and time-keeping systems. The incumbent is required to coordinate with a full range of program areas, including the program offices, Criminal Investigation Division, EPA Headquarters, the Department of Justice and as necessary, the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission, as well as the ability to manage information in databases, record management systems, and other electronic formats.

#### MAJOR DUTIES AND RESPONSIBILITIES

**FOIA and eDiscovery Duties 50%

- 1. Responsible for coordinating and managing responses to FOIA requests as part of centralized Regional FOIA Team. Coordinates, tracks, and processes FOIA requests while adhering to the procedures specified under FOIA and Agency guidance. Serves as point of contact in communicating with requesters. Contacts and coordinates with Regional FOIA Team, other ORC personnel, program personnel, OGC and OEI personnel, as appropriate. Oversees and uses agency electronic systems for processing FOIA requests, including FOIAOnline, Relativity, Adobe Pro, and Office 365 systems. Performs analysis, evaluation, review and coding of documents. Performs analysis and evaluation and prepares reports on regional FOIA workflow. Keeps abreast of FOIA law, regulations, judicial precedents, Agency FOIA practices and Information Technology tools. Develops and provides training to attorneys and program staff and managers on FOIA and eDiscovery procedures and technology. Participates on national FOIA workgroups and communicates workgroup activities to others in ORC.
- 2. Oversees and uses complex electronic records processing and discovery databases and IT tools (e.g. Relativity, Adobe Pro, etc.) and trains ORC attorneys and other regional staff on

the use of these tools. Participates on national discovery workgroups and communicates workgroup activities to others in ORC. Conducts legal research and stays up to date on current case law and agency practices regarding civil discovery. Coordinates responses to discovery requests and serves as a point of contact for the collection, processing, review, and production phases of discovery. Helps prepare privilege logs and supporting affidavits.

3. Organizes and maintains files for complex cases. Obtains and reviews reports, correspondence and court documents. Evaluates and initiates comprehensive files which allows for quick document retrieval. Coordinates with technical staff, contractors and others to obtain documents necessary for a current and accurate file system. Manages the ORC records system, including maintaining databases for ORC records, handling archiving and storage in federal record repositories, including the Regional Records Center, and coordinating retrieval of records, including using the Region's Versatile system.

### ** Paralegal Support Duties 40%

- 1. Assists the regional staff attorney in preparation for administrative and civil litigation, including drafting correspondence, drafting litigation reports consistent with guidance, preparation of discovery documents, administrative records, pleadings, affidavits, motions to dismiss, motions for summary judgment and other documents. In so doing, the incumbent selects, summarizes; compares, interprets and compiles data, information, and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Conducts legal research on a variety of legal issues and provides statutory interpretation by researching statutes, legislative history, policy and guidance. Prepares legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search. Searches for supportive material on own initiative from a variety of sources. Coordinates with the enforcement program, including participating in regular calls with DOJ and tracking outstanding issues, helping to ensure that enforcement commitments are met.
- 2. Under the direction of a regional staff attorney y, assists in the preparation of administrative actions under regulatory programs, including drafting correspondence and legal documents; preparing administrative records; and supporting negotiations. Also performs tasks necessary for debt collection. This coordination includes discussion, examination, evaluation and management of information obtained from a variety of resources.
- 3. Provides investigative or technical support in civil/criminal matters. Investigates facts concerning violations of federal environmental statutes. Determines the most effective manner for obtaining factual information and efficiently utilizes sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, information-gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interviews fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit. Supports CERCLA cost recovery efforts by investigating potential sources of money and preparing memoranda. Reviews bankruptcy filing notices for potential federal government environmental claims.

- 4. Prepares for, attends and participates in conferences with industry representatives, state, local, or tribal officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with federal judges or magistrates or EPA Administrative Law Judges, and meetings related to cases such as public meetings. Prepares for grand-jury presentations and attends and assists at trail or hearing. Prepares reports and charts and provide information requested on ORC activities in both narrative and statistical formats such as citizen suit tracking charts.
- 5. Reviews reported case law. Selects and analyzes decisions, opinions, memoranda and other pertinent legal materials related to environment law to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.
- ** Administrative Support Duties 10%
- 1. As needed, assists with all administrative processes and electronic systems (e.g. PeoplePlus, CONCUR, HR line of Business, correspondence tracking, periodic on-line training requirements, etc.). Acts as resource for administrative and professional staff to ensure timely, accurate and efficient use of these systems. Participates in the efficient operation of daily business of the Office, including ensuring the efficient flow of the Office's incoming and outgoing mail operations. Assists with planning and scheduling travel itineraries, booking reservations, and obtaining tickets. Assists with preparation, planning and facilitation of meetings and work sessions. Helps plan, coordinate, procure space and develop required materials for public meetings, hearings, conference and national and Regional meetings. Facilitates communication between Regional programs and state and national programs. Maintains license and serves as a Notary Public for the Region.
- 2. Performs other duties as assigned.

## FACTOR 1. KNOWLEDGE REQUIRED

### **LEVEL 1-7 1250 POINTS**

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review, evaluation, and processing of FOIA requests and eDiscovery.

Knowledge of civil and criminal provisions of environmental protection statutes and an extensive working knowledge of the enforcement aspects of the statues and regulations administered by the Office and various actions utilized to implement them.

Legal skills and proficiency sufficient to perform extensive and thorough legal research into the legislative history, precedent cases, decisions, and opinions that may be applicable to particular legal matters.

Legal skills and proficiency sufficient to investigate and become thoroughly familiar with subject matter

_de tails involved in a case or legal matter; determine the specific data needed and best approach to obtain this data or to determine relevance or sufficiency of available legal and

technical or other related data.

Well-grounded knowledge of the Agency's mission and the skill to interpret and apply the federal environmental statutes and the Agency's policies, regulations, objectives and guidance as they relate to

the enforcement of administrative actions.

A general knowledge of business principles and techniques, including information technology tools, and ability to apply them in analyzing voluminous, complex and often incomplete records.

Ability to use LexisNexis, Relativity, Adobe Pro, and other computer assisted legal research, records management and eDiscovery tools as well as traditional law library case books, reporters and trade publications.

Skill in oral and written communication, to prepare reports, memoranda and affidavits; to consult with and document communications with agency personnel and FOIA requesters, all conclusions must be supported legally and factually and must be presented in a logical manner with correct grammar.

#### **FACTOR 2. SUPERVISORY CONTROLS**

#### LEVEL 2-4 450 POINTS

The employee works under the general supervision of the Regional Counsel and reports directly to the Deputy Regional Counsel, who together define the Immediate Office's objectives, priorities, and deadlines for projects or assignments and assists the employee with unusual situations, problems, or projects that do not have clear precedents. The employee plans and carries out responsibilities.

independently and assignments are performed with broad latitude for the exercise of judgment in Iresolving technical and administrative problems, developing legal arguments and supporting evidence, and resolving discrepancies. Incumbent works with minimal supervision from case attorney and under pressure of court-imposed time constraints.

#### **FACTOR 3. GUIDELINES**

#### LEVEL 3-4 450 POINTS

Guidelines consist of Agency directives, policies, procedures and guidance as well as statutes and regulations, many of which change regularly. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply and deviate from traditional methods and practices as required either by the individualized nature of enforcement of the case or enforcement action or the nature of the problems encountered. Similarly, incumbent uses initiative and resourcefulness to evaluate and develop responses to claims in defensive litigation. Incumbent plans, directs, advises and coordinates assigned activities within the Office of Regional Counsel. Incumbent uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or in conflict or not applicable. Factual situations may vary from the guidelines and incumbent must use specialized knowledge of law and regulations, and previous experience.

#### **FACTOR 4. COMPLEXITY**

#### LEVEL 4-4 225 POINTS

The work is complex and requires the ability to adapt readily to new or changing procedures and technologies and requires the incumbent to keep abreast of new case law, regulations and changing agency policies. The duties require the ability to interpret, research and apply case law, regulations, and policy to issues and cases assigned. Changes in the law and/or policy, or technologies, require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required. The ability to work under pressure of tight time constraints is required.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, litigation, FOIA, and the criminal program. Often the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines. The work includes various duties requiring different and unrelated processes and methods applied to a broad range of activities or substantial depth of analysis typical for an administrative or professional field.

Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technological developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development or other activities. Duties may require the reconstruction of events from circumstantial evidence.

#### FACTOR 5. SCOPE AND EFFECT

#### LEVEL 5-4 225 POINTS

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Office of Regional Counsel. Incumbent serves as the focal point of paralegal expertise and assists in the preparation and response to civil discovery and FOIA requests and in the development of environmental cases or the defense of the Agency's actions under the federal environmental laws, FOIA, Indian Law and other general federal laws.

Incumbent assists in the development of litigation reports. The purpose of this work is to investigate, plan, review, and recommend decisions on enforcement cases and to supplement

the efforts of the attorneys in this endeavor.

Enforcement work is complex, and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial, commercial and state, local and tribal concerns, and the operation of other departments or agencies in federal, state, local, and tribal governments.

Defending the Agency in litigation is critical to the mission. Challenges to agency actions can be complex, high profile, time-sensitive and have precedential effect.

The work involves developing strategies for handling large and complex legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development. The work includes extensive coordination between and among multiple offices within the Agency and the Department of Justice.

Incumbent works independently on a wide variety of information gathering activities apart from enforcement/defense related matters that frees the attorneys from these tasks. This allows the attorneys to develop cases and provide advice to clients with greater efficiency.

#### **FACTOR 6. PERSONAL CONTACTS**

#### LEVEL 6-3 60 POINTS

Personal contacts through oral and written communication are at all levels in the legal community, up to the highest level. Such contacts include meeting with other employees of the Regional office, other EPA regional offices, EPA Headquarters, the Department of Justice, state, local and tribal governments and the regulated community. Contacts with the public or regulated community may include FOIA requesters, private citizens, representatives of non-governmental organizations, corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated community. On occasion, personal contacts may also include staff of Congressional members and staff of elected representatives of state, local and tribal governments.

#### FACTOR 7. PURPOSE OF CONTACTS

#### LEVEL 7-3 120 POINTS

The primary purpose of contacts with the public and regulated community will be to influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations, agency defenses to challenges, and to communicate regarding processing of FOIA requests. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial proceedings. The principal purpose of contact with representatives of federal, state, local and tribal government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests. Tact and diplomacy must be applied to influence uncooperative and skeptical persons and respondents who are often unfamiliar with the rules and regulations governing

Agency policy.

## FACTOR 8. PHYSICAL DEMANDS

### LEVEL 8-1 5 POINTS

The work requires some walking and carrying light items such as paper, files, and books. No special physical qualifications are required to perform the work.

## **FACTOR 9. WORK ENVIRONMENT**

**LEVEL 9-1 POINTS** 

The work is performed in an office setting in close proximity with co-workers as in a typical work environment.

**TOTAL POINTS: 2790** 

GRADE: GS-12

## **Position Designation Record**

Agency

US EPA

Position Title

Paralegal Specialist

Series and Grade/Pay

GS-0950-12

Band

Position Description

Y18012B

Adjustment for Program Designation and Level of Supervision

Adjustment for Scope of Program and Correlation to Extent of Impact (see ... Agency impact

Adjustments

definitions)

Number

Designator's Name &

B.Morwessel, HR Specialist

Title

#### Potential for Compromise or Damage

Duties	Degree of Potential for Compromise or Damage
Public safety and health services, regulation, enforcement, and protection (Food safety and inspection, occupational health and safety, transportation safety, environmental safety and hazard mitigation)	Position is actively, operationally engaged in services related to the duties in this category (but has only moderate ability to impact the public's trust), such as:  • Performing inspections • Enforcing established standards • Providing regulatory advice and direction
Protection of personal, private, controlled unclassified, or proprietary information-with the potential to damage the public's trust (includes access to or processing of personal information such as that protected by the Privacy Act (PA) of 1974, exempt from disclosure under the Freedom of Information Act (FOIA), financial data, or privileged information involving the award of contracts, contractor proprietary information, etc.)	Access and control over personal, private, proprietary, or controlled unclassified information, the unauthorized disclosure of which could negatively impact the public's trus through serious damage/harm to:  The integrity or efficiency of the service Individuals or business entities Government programs or operations impacting the public's trust
Government service delivery, including customer service or public liaison duties	Duties involve customer service responsibilities and/or public liaison that could negatively impact the public's trust through moderate damage/harm to:  The integrity or efficiency of the service Individuals or business entities Government programs or operations impacting the public's trust

Label

Adjustments			it aid to t					
Adjustment for le	vel of supervision or other controls		Penadic, o af the time	ongoing review - arithly to act independently a l				
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## **Position Designation Record**

Department Large Independent agency (1000 or more employees)

Agency ENVIRONMENTAL PROTECTION AGENCY

Supplemental Duty

Position Title Paralegal Specialist

**Position Description** 

Series and Grade/Pay Band GS-0950-11-12

Position Description Number Y18012A

Designator's Name & Title Tina Mak, HR Specialist

# **Final Position Designation and Investigation**

Sensitivity Level	Risk Level	Investigation	Form
Non-Sensitive	Moderate Risk	Tier 2	SF 85P

Label	Points
Total Initial Position Designation Points from Step 2	30
Adjusted Position Designation Points from Step 3	35

## **Summary**

## **National Security**

No national Security Duties

## Suitability

Duties	Degree of Potential for Compromise or Damage
Protection of personal, private, controlled unclassified, or proprietary information-with the potential to damage the public's trust (includes access to or processing of personal information such as that protected by the Privacy Act (PA) of 1974, exempt from disclosure under the Freedom of Information Act (FOIA), financial data, or privileged information involving the award of contracts, contractor proprietary information, etc.)	Moderate impact Access and control over personal, private, proprietary, or controlled unclassified information, the unauthorized disclosure of which could negatively impact the public's trust, through serious damage/harm to:  The integrity or efficiency of the service Individuals or business entities Government programs or operations impacting the public's trust

Duties	Degree of Potential for Compromise or Damage
Government service delivery, including customer service or public liaison duties	Moderate impact Duties involve customer service responsibilities and/or public liaison that could negatively impact the public's trust through moderate damage/harm to:  • The integrity or efficiency of the service • Individuals or business entities • Government programs or operations impacting the public's trust

# Adjustment for Scope of Program and Correlation to Extent of Impact

Program Scope and Impact	Impact
Adjustment for Scope of Program and Correlation to Extent of Impact	Agency Impact  • Program operations affect only one agency.  Misconduct or damage would have potential for a local impact on the agency, and/or the individuals or private entities affected by the agency.
Level of Supervision	Ability to act independently
Adjustment for level of supervision or other controls	Limited or no supervision - ability to act independently in almost all areas almost all of the time  Occasional review from a perspective of major policy issues by a superior who likely has no relevant expertise in the technical aspects of the duties performed.

Designator's Name:	Tina Mak, HR Specialist	
Designator's Signature:		Date:

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Other Seattle WA Seattle V			Seattle WA			(b) (6)				
Explanation (Show any position	ons replaced)		7. Fair Labor Stan	dards Act	8	8. Financial Statements Required			Cybersecurity Code	
Transfer from NOAA			NonExempt				Disclosure Required		a. <u>0000</u>	
Transier from NOAA			10. Position Statu	s	1	<ol><li>Supervisory S</li></ol>	tatus Code		b	
			Competitive			8 - All Other	Positions		С.	
			12. Competitive L	evel Code	1	13. Competitive A	rea		14. Drug Testing	
									No	
			15. Extramural %		1	<ol><li>Functional Cla</li></ol>	ass Code		17. Medical Monitoring	
			0%			00			No	
			18. Position Sensi	itivity	1	19. Security Clear	ance		20. Position Risk	
			Non-Sensitive	;	ļ.	0 - Not Requ	ired		2 - Moderate	
			21. Emergency Es	sential	2	22. Developmenta	al Position		23. Full Performance Le	vel
			No			No			12	
24. Position Classification				Official Title	of Position			Pay Plan	Occupational Code	Grade
a. Official Allocation	Paralegal Sp	ecialist						GS	950	12
25. Organizational Title of Po	osition (if different	from official title)				26 Name of Emr	oloyee (if vacant, state such	<u> </u>	<u> </u>	
25. Organizational Title of t	osition (il dilicicine	nom omeiar ducy				to. Name of Linp	loyee (ii vacani, state suci	"		
Paralegal Specialist						Shannon Cor	nnery			
			27 Dr	eparment, Agency,	or Establish	nment Hierarchy				
a. 1st Tier Org Code		1st Tier Org Descri		parment, rigericy,	OI ESTADIISII	ment included by				
Z0000000		Region 10	paon							
b. 2nd Tier Org Code		2nd Tier Org Desc	crintion							
ZH000000		_	gional Counsel							
c. 3rd Tier Org Code		3rd Tier Org Descr								
ZHF00000		Water Law E	•							
d. 4th Tier Org Code		4th Tier Org Descri	iption							
e. 5th Tier Org Code		5th Tier Org Descri	iption							
28. Supervisory Certification Governmental functions for w										
and that false or misleading s							tatatory purposes rolating	то арропин	ioni and paymont of pablic	rando,
a. Typed Name and Title of I	mmediate Superv	isor			b. Typed I	Name and Title of	f Higher-Level Supervisor o	or Manager		
Leah Brown, Branch	Chief				Beverl	ly Li, Regional	l Counsel			
Signature				Date	Signature				Date	
		tally signed by LEAH BRO c=US, o=U.S. Governmen			$  \neg \vdash$	\/EDI	Digitally	signed by	BEVERLY LI	
LEAH BRO		ection Agency, cn=LEAH & 2342.19200300.100.1.1=6	BROWN, 8001003668659		BE	VERL	Y L Date: 20	21.06.10	08:18:24	
	Date	e: 2021.06.09 08:11:46 -07	,000,				-07 00			
29. Classification/Job Grad	_	-		_					nay be reviewed and correct n on classification/job gradi	
as required by Title 5, U.S. C Personnel Management or, it					appeals, a	and complaints or	n exemption from FLSA, is		om the personnel office or	
applicable published standar					of Person	nnel Management.				
a. Typed Name and Title of 0	Official Classifying	the Position			30. Positio	on Classification S	Standards Used in Classify	/ing/Grading	Position	
Barbara Morwessel, H	IR Specialist				Paraleg	jal Specialist S	Series, GS-0950 TS-	-76 Augus	st 1986	
Signature				Date	]					
		40/40/0040								
/s/ Barbara Morwessel 10/19/20			10/19/2018							
24 Domarks				<u> </u>						
31. Remarks FPPS Number: 21 11	<i>4</i> 7051									
FFF3 Nullibel. 21 11	47031									

				ENTAL PROTECTION				
Position Descri	ntion Coversher				Position No.		2. Incumbency Allocation (	Only?
l osition besch	ption Coversite	(Flease read instit	uctions on back		Z19001X		May be IAed	
Reason for Submission		Employing Offic	e Location	5. Duty Station			6. BUS Code	
Other				Seattle WA			8888	
Explanation (Show any positio	ns replaced)	7. Fair Labor Stan	dards Act	8. Financial State	ements Required		Cybersecurity Code	
Transfer from NOAA		Non-Exempt		No Financial Disclosure Required		1	a. <u>000</u>	
Transist from Trong		10. Position Status	5	11. Supervisory			b	
		Competitive	101-	8 - All Other			C.	
		12. Competitive Le	evel Code	13. Competitive	Area		14. Drug Testing	
		15. Extramural %		16. Functional Cl	lass Codo		No 17. Medical Monitoring	
				I	ass code			
		0% 18. Position Sensi	itivity	N/A 19. Security Clear	rance		No 20. Position Risk	
		Non-Sensitive	-	0 - Not Regu			2 - Moderate	
		21. Emergency Es		22. Development			23. Full Performance Leve	el
		No		No			12	
24. Position Classification			Official Title			Pay Plan	Occupational Code	Grade
a. Official Allocation						CC	0050	1,2
	Paralegal Special					GS	0950	12
25. Organizational Title of Po	osition (if different from official t	title)		26. Name of Em	ployee (if vacant, state sucl	h)		
Paralegal Specialist				Shannon Co	nnery			
a dat Tiar Ora Cada	1st Tier Org I		parment, Agency,	or Establishment Hierarchy				
a. 1st Tier Org Code Z0000000	Region	-						
b. 2nd Tier Org Code								
b. 2nd Tier Org Code 2nd Tier Org Description ZH000000 Office of Regional Counsel								
c. 3rd Tier Org Code	3rd Tier Org							
c. Sid Hel Oly Code	Jid Hel Olg	Description						
d. 4th Tier Org Code	4th Tier Org	Description						
e. 5th Tier Org Code	5th Tier Org	Description						
28. Supervisory Certification	on I certify that this is an accu	urate statement of the mai	ior duties and respo	onsibilities of this position an	nd its organizational relation	nships. The	position is necessary to car	ry out
Governmental functions for w	hich I am responsible. This ce tatements may constitute viola	ertification is made with kn	nowledge that this in	nformation is to be used for				
a. Typed Name and Title of In		ilions of such statutes of t		b. Typed Name and Title o	of Higher-Level Supervisor	or Manager		
Beverly Li, Regional (				Beverly Li, Regiona		n manager		
Signature	Journal		Date	Signature	ii oddiisoi		Date	
_	Digitally signe	ed by BEVERLY LI		-	Digitally	signed by	BEVERLY LI	
BEVERL	Date: 2021.00	6.07 09:52:18		BEVERI		21.06.07	09:52:51	
20 Classification/Job Grad	ling Certification / certify tha	at this position has been c	lassified/graded	Information for Employe	es The classification of th	ne position m	nay be reviewed and correct	ed by the
	ode, in conformation with stand		_	agency or the U.S. Office	of Personnel Management.	. Information	n on classification/job gradin	ıg
Personnel Management or, if applicable published standard	no published standards apply	directly, consistently with	the most	appeals, and complaints of Personnel Management		available fro	om the personnel office or U	.S. Office
a. Typed Name and Title of O				30. Position Classification	Standards Used in Classifi	ving/Grading	Position	
Barbara Morwessel				30. Position Classification Standards Used in Classifying/Grading Position				
Signature			Date	Paralegal Special	ist Series, GS-0950 7	S-76 Aug	just 1986	
/s/Barbara Morwessel 10/19/2018								
31. Remarks								
or. Itemano								
FPPS Number: 21	1147051							

POS	onmental Protection Agency SITION DESCRIPTION COVERSE	IEET	1. DUTY LOCATION 2. POSITIO Seattle, WA Z19001X				
3. CLASSIFICATIO 8/86; (b) OPM PC	N ACTION: a, Reference of Series and I CF for GS-306 Government Inform	Date of Standards Used to nation Series, 2/12.	Classify this Position	(a) OPM PCS	for Paralegal S	Specialist Ser	ries, TS-76,
-	l b	. Title		c. Pay Plan	d. Series	e. Grade	f. CLC
Official Allocation	Paralegal Specialist			GS	0950	12	
4. Supervisor's Recommendation	Paralegal Specialist	9		GS	0950	12 ·	
5. ORGANIZATION	VAL TITLE OF POSITION (if any)		6. NAME OF EMPI	OXEE YU.	Shann	on	
7. ORGANIZATIO	ON (Give complete organizational bre	akdown)	e.	01			
a. U.S. ENVIRON	MENTAL PROTECTION AGENCY	<i>v</i>	f.				
b. Region 10			g.				
c, Office of Regional	l Counsel		h. Employing Offi	ce Location: Se	attle, WA		
d. Multi-Media Unit	1		i. Organization Co	de: ZHA00000			
8. SUPERVISOR							
<ul> <li>□ [2] Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirement for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position classification standards.</li> <li>□ [4] Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of the GSSG.</li> <li>□ [5] Management Official. Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10).</li> <li>□ [6] Lead Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part 1 of the Work Leader Grade Evaluation Guide (WLGEG) or is under a wage system and meets similar minimum requirements as specified by those job standards or other directives of the applicable pay system.</li> <li>□ [7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGEG.</li> <li>□ [8] All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position.</li> <li>9. SUPERVISORY CERTIFICATION I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.</li> <li>a. Typed Name and Title of Immediate Supervisor</li> </ul>						in other  ation of the  ation of  the Leader  at or other  of the	
b. Signature	, Ont Manager	c. Date	Allyn Stern, Regio			f. Da	te
(77)	Mothers			(V);			
( )		Aug 30,2018		<u> </u>		1/3	1/18
10. OFFICIAL CI	LASSIFICATION CERTIFICATIO	N: I certify that this posit	tion has been classified	graded as required	by Title 5, U.S.	code, in contor	mance with
a. Promotion Pot	by the U.S. Office of Personnel Management	nt or, if no published stand	iards apply directly, co	nsistently with the	most applicable p		arus,
	as no promotion potential	osition develops as plar notion potential to grad		rogresses satisfa	ctorily, this pos	ition has kno	wn
b. PSB Risk Desig  il Low  li Low  li 12 Moderate  : 3 High  Security Clearance Required: I Yes	nation c. Financial Disclosure For OGE-450 Required OGE-278 Required No financial disclosure forms required	d. "Identical, A Allocation Thi I may be IA'e I may not be I	Additional" (IA) s position d .		MPT DEXEM ption category) tive	PT* Class	nctional sification e N/A
	h. Check, if applicable:		i. Classifier's	Signature		j. Da	ate
Unit Code	☐ Medical Monitoring Required ☐ Extramural Resources Management		BARBARA	Digit	ally signed by BARBA WESSEL	RA	
11. REMARKS	This position is subject to random of	irug testing ( )	MORWES	SEL Pate	2018.10.19 10:44:55	-0400. [	
16							-

#### PARALEGAL SPECIALIST GS-0950- 12

#### Introduction

This paralegal specialist position is located in the Office of Regional Counsel. The incumbent is instrumental in the development, preparation, enforcement, defense, and settlement of cases brought under EPA's regulatory programs, including cases under the Clean Air Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Toxic Substances Control Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation and Recovery Act, the Clean Water Act, the Safe Drinking Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and the Oil Pollution Act, as well as other programs supported by ORC, such as criminal enforcement, ethics, employment and records management. The incumbent is required to coordinate with a full range of program areas including the program offices, Criminal Investigation Division, the Office of External Programs, EPA Headquarters, the Department of Justice and as necessary the appropriate office of the United States Attorney. The duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative procedure to multiple aspects of the Agency's substantive mission, as well as the ability to manage information in databases and other electronic formats.

#### Major Duties

- 1. Under the direction of a regional staff attorney, assists in the preparation of administrative actions under regulatory and other programs, including drafting correspondence and legal documents; preparing administrative records; supporting negotiations; coordinate the preparation of the legal documents with the regional attorney and, as appropriate, the regional technical staff. The incumbent also performs tasks necessary for debt collection and bankruptcy proceedings. This coordination includes discussion, examination, evaluation and management of information obtained from a variety of resources.
- 2. Assists the regional staff attorney in preparation for administrative and civil litigation including drafting correspondence, drafting the litigation report consistent with guidance, preparation of discovery documents, administrative records, pleadings, affidavits, motions to dismiss, motions for summary judgment and other documents. In so doing, the incumbent selects, summarizes, compares, interprets and compiles data, information and case law from a variety of sources into a format best suited to the specific needs of the case and the case team. Conducts legal research on a variety of legal issues and provides statutory interpretation by research statutes, legislative history, policy and guidance. Assists with the preparation of legal memoranda or other summaries to support legal and factual conclusions, reviewing all sides of issues and detailing new issues raised as a result of the search. Coordinates with the enforcement program including setting up regular calls with DOJ and tracking outstanding issues, helping to ensure that enforcement commitments are met.
- 3. Oversees and uses complex electronic discovery databases and IT tools and trains ORC attorneys and other regional staff on the use of these tools. Participates on national discovery

workgroups and communicates workgroup activities to others in ORC. Conducts legal research, and stays up to date on current case law and agency practices regarding civil discovery and records management. Coordinate responses to discovery requests and serves as the primary point of contact for the collection, processing, review, and production phases of discovery. Helps prepare privilege logs and supporting affidavits. Tracks and maintains the litigation hold database for the Region.

- 4. Organizes and maintains files for complex cases. Obtains and reviews reports, correspondence and court documents. Evaluates and initiates comprehensive files which allows for quick document retrieval. Coordinates with technical staff: contractors and others to obtain documents necessary for a current and accurate file system. Manages the ORC records system including maintaining the database for ORC records, handling archiving, and coordinating retrieval of records.
- 5. Responsible for responding to requests under the Freedom of Information Act (FOIA). Performs analysis, evaluation and review of documents, contacts and coordinates with other Office of Regional Counsel personnel, program personnel, OGC personnel and the requestor, as appropriate, while adhering to the procedures specified under FOIA. Helps train ORC and Regional personnel regarding FOIA and records management. Keeps abreast of FOIA and records law, regulations, judicial precedents, Agency FOIA and records management practices and Information Technology tools.
- 6. Provides investigative or technical support in civil/criminal matters. Investigates facts concerning violations of federal environmental statutes. Provides legal, investigative and technical support to regional staff attorneys and management regarding employment, personnel, ethics or other general law matters. Determines the most effective manner for obtaining factual information and efficiently utilizes sophisticated investigative techniques; i.e., records and documents analysis, confidential sources, various information gathering techniques, etc., as well as developing techniques to better promote compliance and detect violations of law. Directly interview fact witnesses and experts with specialized knowledge relating to particular cases and extracts salient material, recommending areas of pursuit. Supports CERCLA cost recovery efforts by investigating potential sources of money and preparing memoranda.
- 7. Prepares for, attends and participates in conferences with industry representatives, state or local officials, and federal personnel. Attends depositions, settlement negotiations, pretrial conferences with the federal judge or magistrate and meetings related to cases such as public meetings. Prepares for grand-jury presentations and attends and assists at trial or hearing. Prepares reports and charts and provides information requested on ORC activities in both narrative and statistical formats such as citizen suit tracking charts.
- 8. Reviews reported case law. Selects and analyzes decision, opinions, memoranda and other pertinent legal materials related to environmental law in order to interpret meaning and effects; notes principles of law involved in decisions and opinions for dissemination to regional attorneys and program enforcement staff.

- 9. Conducts legal research on a variety of legal issues. Provides statutory and regulatory interpretation for Agency personnel by researching statutes, legislative history, regulations and governing policy. Prepares appropriate legal memoranda or other appropriate summary to support conclusions reached, reviewing all sides of issues raised as a result of research. Searches for supportive material on own initiative from the variety of sources.
- 10. Acts as a resource and mentor for other paralegals within the Office of Regional Counsel. Maintains contact with other regional paralegals through networking and formalized structure.
- Performs other duties as assigned.

Factor 1 - Knowledge Required by the Position

Level 1-7 - 1250 Points

Knowledge and skill to effectively plan, direct and coordinate the activities to conduct the review and evaluation of potential enforcement actions. This knowledge and skill includes a broad and thorough knowledge of federal statutes and related rules, regulations and policies.

Knowledge and skill to effectively plan, direct and coordinate the activities to respond to production requests. General knowledge of the civil discovery rules, privileges and case law, and of agency procedures and policies regarding records management.

Knowledge of the required electronic discovery databases and IT tools, sufficient to train ORC attorneys and other regional staff on their use.

Knowledge of Freedom of Information Act (FOIA) requirements and procedures sufficient to perform analysis, evaluation and review of documents and train ORC and Regional personnel regarding FOIA and records management.

Ability to analyze, weigh evidence, reach conclusions, and recommend decisions. Skill in organization to arrange large conferences involving multiple parties to resolve complex issues and requiring organization of documents. Skill in organizing and maintaining files.

Ability to conduct interviews; recognize, explore and exploit leads; detect subtle discrepancies in information; distinguish between relevant and irrelevant information; and prepare reports.

Ability to conduct independent on-site review of defendant's files and to interview witnesses.

Skill in written and oral communications.

Skill in establishing priorities and deadlines.

Factor 2: Supervisory Controls

Level 2-4 450 Points

Incumbent works independently, making independent judgments as to priority of work and case requirements. Proceed on own initiative and in accordance with Agency policies and practices,

exercising personal knowledge and experience in planning and directing, organizing, and coordinating work to be accomplished by target dates.

Assignments are performed independently with latitude for the exercise of judgment in resolving technical and administrative problems, developing legal arguments and supporting evidence, and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the immediate supervisor apprised of activities when controversial problems are encountered. Incumbent works with minimal supervision from case attorney and under pressure of court-imposed time constraints.

Factor 3: Guidelines

Level 3-4 450 Points

Guidelines consist of agency directives, policies, and office procedures as well as policies governing statutes and other promulgated regulations, many of which change constantly. Applicable legislation and regulations, Headquarters and regional policy and directives, Memoranda of Understanding, and other pertinent reference and regulatory materials are used. These guidelines apply to the work but are stated in very general terms or apply only indirectly or in part to the problems in question. Incumbent is required to extract appropriate legal references from several guidelines and apply them to cases at issue.

Factor 4 - Complexity

Level 4-4 225 Points

The work is complex and requires the ability to adapt readily to new or changing procedures and technologies, and requires the incumbent to keep abreast of new case law, regulations and changing agency policies. The duties require the ability to interpret, research and apply case law, regulations, and policy to issues and cases assigned. Changes in the law and/or policy, or technologies, require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, evaluation of complicated legal matters. Incumbent drafts various legal documents such as interrogatories, document production requests, complaints, consent agreements, and consent decrees. The ability to prepare for and participate in settlement conferences, depositions and hearings is also required. The ability to work under pressure of tight time constraints is required. Work requires the ability to maintain confidentiality and ability to exercise judgment and discretion when working with information and documents concerning personal confidential matters.

The work includes determining the tasks necessary to accomplish fully the goals of the Agency in the context of the regulatory programs, litigation, FOIA, employment, ethics and the criminal program. Oftentimes the requirements of the various statutes are different in format and methodology to carry out goals of the particular act. The work also involves understanding the often subtle interrelationships of the various acts. Incumbent interprets and evaluates discrepant information gathered from a variety of sources. Utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with applicable Agency regulations, policies and guidelines.

The work includes varied duties requiring many different and unrelated processes and methods applied to a broad range of activities or substantial depth of analysis typical for an administrative

or professional field. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation resulting from among other things, continuing changes in the program, technological developments, developing policies, changing case law and/or conflicting requirements. Incumbent collects sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative technique and interprets incomplete or conflicting information. Work involves complex cases which may require several years of ongoing case development or other activities. Duties may require the reconstruction of events from circumstantial evidence.

#### Factor 5 - Scope & Effect

Level 5-4 - 225 Points

Effective performance of paralegal functions facilitates expeditious administration of Agency programs. The work performed affects the efficiency of the Office of Regional Counsel. Incumbent serves as the focal point of paralegal expertise and assists in the preparation and response to civil discovery and FOIA requests and in the development of environmental cases or the defense of the Agency's actions, under the Clean Air Act; Federal Insecticide, Fungicide and Rodenticide Act; Toxic Substances Control Act; Emergency Planning and Community Right-to-Know Act; Clean Water Act; Safe Drinking Water Act; Resource Conservation and Recovery Act; and Comprehensive Environmental Response, Compensation and Liability Act, Freedom of Information Act or employment related laws and regulations.

The incumbent assists-in the development of litigation reports. The purpose of this work is to investigate, plan, review, and recommend decisions on enforcement cases and to supplement the efforts of the attorneys in this endeavor.

Incumbent researches unsettled issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria: formulating projects; investigating or analyzing a variety of unusual legal problems, issues or questions; resolving complex technical legal and administrative issues on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other department or agencies in the federal, state and local governments. Employment related work is often of a confidential or sensitive nature and can affect the employment status and compensation of agency personnel.

#### Factor 6 - Personal Contacts

Level 6-3 - 60 Points

Personal contacts include meeting with other employees of the regional office, other EPA regional offices, EPA Headquarters, the Department of Justice, state and local governments and the regulated community. Contacts with the public or regulated community may include FOIA requesters, corporate managers of environmental departments, corporate attorneys, attorneys in the private bar and other professionals who represent the regulated community. On occasion, personal contacts may also include staff of Congressional members and staff of elected representatives of state and local governments.

The principal purpose of contacts with the regulated community will be to influence their perception of EPA policy in a positive manner and to provide clear and accurate information as requested. Contact with the public will also include requesting information necessary and essential to case development and liability determinations, and to communicate regarding processing of FOIA responses. Incumbent may be requested to participate in public meetings, information sessions, and administrative and judicial enforcement proceedings. The principal purpose of contact with representatives of federal, state and local government agencies will be to communicate goals and policies of EPA, answer questions and respond to information requests. Tact and diplomacy must be applied to influence uncooperative and skeptical persons and respondents who are often unfamiliar with the rules and regulations governing Agency policy.

#### Factor 8 - Physical Demands

Level 8-1 - 5 Points

Most of the work is sedentary. No special physical demands are required other than ordinary physical activity in an office setting, such as walking, standing, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation as may be required. Work requires concentrated periods of time requiring reading fine detail on computer screens. On occasion, the paralegal will be required to travel in connection with case assignments and/or training.

#### Factor 9 - Work Environment

Level 9-1 - 5 Points

Work is performed in an office setting in close proximity with co-workers as in a typical work environment. Visits sometimes have to be made to courthouse, records centers or other places away from the usual work station. Work environment involves the normal risks and discomforts typical of an office environment. Travel by commercial means may be required.

· Total Points: 2790

Grade Conversion: 2755-3150 = GS-12

## **POSITION RISK & SENSITIVITY DESIGNATION CHECKLIST**

Position's Organization: R10 ORC			
Position Title: Paralegal Specialist			
Pay Plan/Series/Grade (Full Performance Level): GS-	-950-11 FPL 12		
Service Agreement Number (SAN): BV5800404			
Supervisor Name: Beverly Li	Supervisor Phone Number: 206-	553-854	2
Supervisor Signature: BEVERLY LI	Digitally signed by Pate: 2021.02.02 0		
STANDARDIZED POSITIONS			
Position Title			
Select One			
NON-STANDARDIZED POSITIONS For All Non-Standardized positions, provide the followi	ng information:		
1. Does the position require access or eligibility for ac	cess to classified information?	Yes	● No
If Yes, Select			
2. Does the position involve National Security duties?		Yes	<ul><li>No</li></ul>
If Yes, Select			
3. Does the position involve fiduciary responsibilities,	obligation or approval of funds?	Yes	● No
If Yes, Select			
4. Does the position involve public contact/interaction	on/liaison duties?	Yes	O No
Federal Agency Interest Groups Ag	gency \sum_local Agency	Tribal Gove	rnment
Academia Private Industry St.	ate Media	General Pu	blic
5. Does the position involve access to or control over unclassified, controlled classified, or proprietary info		Yes	No
If Yes, Explain: CBI; Enforcement cases			
6. Does the position require access to or control over material (toxic, nuclear, biological, chemical, radiolog	_	Yes	● No
If Yes, Explain:			
7. Does the incumbent make independent decisions of not subject to substantive verification or supervisory		Yes	● No
If Yes, Explain: Enforcement cases			

^{*}Supervisors, GS-14 and above positions, and scientific/engineering positions are at least non-sensitive, moderate risk. Division Directors and Deputy Directors are at least non-sensitive, high risk. Criminal Investigator positions are always critical-sensitive, high risk.

# **Position Designation Record**

Department Large Independent agency (1000 or more employees)

Agency ENVIRONMENTAL PROTECTION AGENCY

Supplemental Duty

Position Title Paralegal Specialist

**Position Description** 

Series and Grade/Pay Band GS-0950-12 Position Description Number Z19001X

Designator's Name & Title Caleb Barefield, HR Specialist (Class.)

# **Final Position Designation and Investigation**

Sensitivity Level	Risk Level	Investigation	Form
Non-Sensitive	Moderate Risk	Tier 2	SF 85P

Label	Points
Total Initial Position Designation Points from Step 2	30
Adjusted Position Designation Points from Step 3	20

## Summary

## **National Security**

No national Security Duties

## Suitability

Duties	Degree of Potential for Compromise or Damage
Protection of personal, private, controlled unclassified, or proprietary information-with the potential to damage the public's trust (includes access to or processing of personal information such as that protected by the Privacy Act (PA) of 1974, exempt from disclosure under the Freedom of Information Act (FOIA), financial data, or privileged information involving the award of contracts, contractor proprietary information, etc.)	Moderate impact Access and control over personal, private, proprietary, or controlled unclassified information, the unauthorized disclosure of which could negatively impact the public's trust, through serious damage/harm to:  The integrity or efficiency of the service Individuals or business entities Government programs or operations impacting the public's trust

Duties	Degree of Potential for Compromise or Damage
Government service delivery, including customer service or public liaison duties	Moderate impact Duties involve customer service responsibilities and/or public liaison that could negatively impact the public's trust through moderate damage/harm to: • The integrity or efficiency of the service • Individuals or business entities • Government programs or operations impacting the public's trust

# Adjustment for Scope of Program and Correlation to Extent of Impact

Program Scope and Impact	Impact
Adjustment for Scope of Program and Correlation to Extent of Impact	Agency Impact • Program operations affect only one agency. Misconduct or damage would have potential for a local impact on the agency, and/or the individuals or private entities affected by the agency.
Level of Supervision	Ability to act independently
Adjustment for level of supervision or other controls	Periodic, ongoing review - ability to act independently a lot of the time  • Ongoing spot review from a perspective of policy and organizational concerns by a superior with expertise in the technical aspects of the duties performed.

Designator's Name: Caleb Barefield, HR Specialist (Class.)

Designator's Signature: Date: 03/05/21